

MONTREAL

<u>Speaker</u>	<u>Agency</u>	<u>Street</u>	<u>City</u>	<u>Postal Code</u>
Rev. Lawrence A. Scyner	Agnlican Diocese of Montreal		Montreal, P.Q.	
Father D. Innocenti	Benedict Labary House- Griffin Tower	740 Ste. Foy	Longueuil, P.Q.	
Jacques Boucher		445 St. François Xavier	Montreal, P.Q.	
Loren Seitz Sam Hughes	Canadian Chamber of Commerce	1080 Beaver Hall Hill	Montreal, P.Q.	
Dr. Gordon Edwards	Canadian Coalition of Nuclear Responsibility	1300 Rainbault, St. Laurent	Montreal, P.Q.	
Rita Lafond André Bouvet Bernard Hubert	Centre Information Communautaire	2 place de l'Eglise	St. Scholastique, P.Q.	
Roman Mukerie	Centre Montchanin	4917 St. Urbain	Montreal, P.Q.	
John Ciaccia	Member of the National Assembly for Mount Royal			
Mr. B. Daigle	Domtar Limited	395 de Maisonneuve W. Box 7210	Montreal, P.Q.	H3C 3M1
M. Jean-Marie Beauregard	Federation of Scouts of Quebec			
Terence Ford		167 St. Catherine E. Apt. 10	Montreal, P.Q.	

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<u>Speaker</u>	<u>Agency</u>	<u>Street</u>	<u>City</u>	<u>Postal Code</u>
Mr. Gilles Barbeau	Gaz Metropolitan Inc.	630 Dorchester Blvd. 22 Floor	Montreal, Que.	H3B 1V7
Vivian and John Geeza		842 Davaar	Montreal, P.Q.	
Chief Billy Diamond	Grand Council of the Crees			
Miss Deborah Hayes				
Chief Andrew Delisle	Indians of Quebec Assoc.	P.O. Box 729	Caughnawaga, P.Q.	
Mr. E. Chalouh	Jewish Labour Comm. of Canada	5165 Isabella	Montreal, P.Q.	
Mrs. Iris Jones		84 Ave. McCulloch	Outremont, P.Q.	H2V 3L7
Mrs. Mary Langston		118 Sunnyside Ave.	Pointe Claire, P.Q.	
Eddy Gardner R. Boudrias	Larentian Alliance of Métis and Non Status Indians	1410 Stanley St. Suite 618	Montreal, P.Q.	
John. N. Franklin	Magna Carta Councils	1 Place Ville Marie Suite 3235	Montreal, P.Q.	H3B 3M7
Eric W. Mountjoy	McGill University Dept. of Geological Sci.	P.O. Box 6090 Station "A"	Montreal, P.Q.	H3C 3G1
Brother Phil Kelly	Office of Development Diocese of St. Jean	740 Ste-Foy	Longueuil, P.Q.	
Alan Penn	(employee with Grand Council of the Crees)			



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<u>Speaker</u>	<u>Agency</u>	<u>Street</u>	<u>City</u>	<u>Postal Code</u>
Guy G. Poirier	Université de Sherbrooke Dept. de Biologie		Sherbrooke, P.Q.	J1K 2R1
Pierre Morin	Prov. of Quebec Chamber of Commerce	500 St. Francis Xavier	Montreal, P.Q.	
Jean Paul Perras	SIDBEC	CP 249	Montreal, P.Q.	H3C 2S6
Ernest Schiblie Jean Morissette	Social Justice Committee of Montreal	11775 Filion	Montreal, P.Q.	
Roger Gibbons	University of Calgary Dept. of Polit. Sci.			
J. Rick Ponting	University of Calgary Dept. of Sociology	2920 - 24 Ave.	Calgary, Alta.	T2N 1N4

John

Montreal - May 31st, 1976

I was not present for the first evening
but Pierre Genest was.

June 1st - 10:00 a.m.

Jean Morrisette

- we accuse the native people of problems which we have created for them
- the north should be an autonomous part of the country with the right of self-determination and we Europeans should examine our colonialism by resource development before going ahead with the pipeline

Ernest Schiblie,
Social Justice Committee of Canada

- our society is causing the poverty of the third world and is breaking down because we have too much rather than too little
- the pipeline is colonialism and there should be a ten year moratorium

Gilles Barbeau,
Gas Metropolitan

- Quebec is in a special situation because natural gas is only 5% of the energy used but will increase with the higher price of oil
- it is a Provincial Government policy to find a better balance in energy and this would be possible if natural gas in the Mackenzie Delta is made available so all efforts should be made available to allow this to happen
- Gas Metropolitan has been unable to maintain all the gas it needs from Alberta
- supports Arctic Gas project
- if natural gas was available it would assist the industrial development and employment picture in Quebec
- Berger's recommendations should consider the socio-economic impact on the north but not be too restrictive to make the cost of the pipeline prohibitive

Vivian and John Geeza,
Speaking as private citizens concerned about wastage of
energy

- natural gas should be reserved for use as feed stock
- their gas bill shows that the more you use the cheaper it gets
and this encourages waste
- should be researching alternate sources rather than spending such
large amounts of money on old fashion pipeline

B. Daigle,
Domtar Limited

- users of large amount of natural gas and concerned about need for
frontier gas as shown by the NEB
- environmental problems are technical and soluable so environmental
standards should be established as soon as possible to allow the
project to proceed

Debbie Hayes,
High school student

- decision will effect the young generation
- supports ten year moratorium and the search for alternatives
- we must change our lifestyle and not destroy the native peoples
if we are to be a true just society

The Judge said at this point that much of the evidence
contained skepticism about the Federal Government but
he wished to point out that it was the Government that
set up the Inquiry and it had done its own studies as
well as funding other participants at the Inquiry.

Professor Eric Mountjoy,
Dept. of Geological Sciences,
McGill University

- Canadians have been spoiled by cheap energy and do not recognize
the long lead times necessary to develop frontier areas which are
necessary to alleviate our energy problems because we will still be
dependent upon petroleum for the next 20 years before solar energy
becomes available.

- the Mackenzie valley pipeline is needed without any increase due to growth and everyone should believe the Government energy strategy for Canada for we must start conserving for example using private automobiles less
 - we must adjust Canadian society-something closer to the natives but it should be possible to minimize impacts for example by setting up work camps away from the communities
 - it should be possible to minimize impacts on the environment as well
 - supports land claims settlement before pipeline but there should be a deadline, for example, the end of 1977 as everyone works better under deadlines
- Terrance Ford
- Mackenzie valley pipeline more benefit to the USA than Canada
 - land claims settlement made before pipeline and it shouldn't be forced on the natives like it was in James Bay

Eric Gourdeau spoke on behalf of CARC and said that if the pipeline goes ahead without a land claims settlement it will have a negative effect on the people and the native people will not participate as alleged by the companies.

2:00 p.m.

Jacques Boucher,
Energy Environmental Committee
of James Bay

- James Bay was a forced settlement
- development is colonialism
- we must adjust our way of life along the lines that Prime Minister Trudeau has stated, however, we must learn from the people of the third world and get back to a simple manual life either voluntarily or be forced into it by catastrophe

Mr. E. Chalouh,
Jewish Labour Committee

--natives want to maintain their identity and there are other examples such as the French in Quebec and the Jewish people

--must be a land claims settlement before development

Chief Billy Diamond,
Grand Council of the Cree

--spoke on behalf of the Cree Indians of James Bay

--the James Bay Agreement was a wise decision for his people and all his people were consulted and approved it

--other native leaders have stressed the need to identify aboriginal rights but his people aren't concerned about that since they know their rights, it was the Government and companies who didn't and the Government and companies can only be educated by free and open discussion in good faith

--such an open discussion allowed them to reach an agreement rather than to be in the Courts still fighting or have the Government legislate an agreement. The agreement opens the door for other indian groups in Canada but James Bay doesn't have to be a precedent

--the James Bay Crees were not forced into the settlement but chose to face reality and obtain a beneficial agreement.

--the agreement enables them to maintain their culture and gives a choice in whether or not they wish to participate in a traditional or industrial society or both

Jean-Marie Beauregard,
the Diocese of Valleyfield

--ten year moratorium because of socio-economic and environmental problems

--opposed to colonialism which is "close to genocide"

Sam Hughes and L. Seitz,
Canadian Chamber of Commerce

- the last annual meeting expressed its support for early construction of the mackenzie valley pipeline
- all regions of Canada are interdependent and the curtailment of gas supply would effect the country as a whole
- the socio-economic impact in the north will be beneficial and the natives will get a share of the resource development
- land claims should be settled early and if it is not possible before a pipeline there should be no prejudice with conditions prescribed by the Berger Inquiry
- caution against over-restrictive terms or conditions
- Canada has not yet reached a crisis in energy so it can properly build a pipeline but a delay would result in it being built under emergency conditions without due regard for the socio-economic and environmental impact

Eddy Gardner,
Laurentian Alliance of Metis and Non Status Indians

- support Dene in asking for land claim settlement before pipeline
- natives in the north want some development not contrary to development completely
- if Buchanan cannot support the Dene Declaration he is not doing his job and should resign
- James Bay settlement should not be a precedent
- there is an opportunity for Canada to recognize three peoples, namely French, English and aboriginal

Father Innocenti,

- works in Montreal poor area, speaking on behalf of poor people in opposing pipeline since they are always exploited by the rich and the Government
- should put human values before money

Diocese of St. Jerome,

- reviewed impact of Mirabel Airport
- support and call for moratorium and settlement of land claims

Brother Phil Kelly,
Office of Development,
Diocese of St. John

- supports Bishop's labour day message
- moratorium and land claims settlement
- natives before development
- must change our society; for example when new car sales do not go up every year we go on a national scare
- a pause would be an antedote for the sickness of the 70's i.e. sinicism

Roman Mukerie,
Centre Monchanin

- must question assumptions of dominant white culture which always prompts assimilation amounting to ethnocide
- supports moratorium

Mary Langston

- the problems of Alaska can happen here so we must have further study and look at alternatives

Rev. Lorne Scyner,
Anglican Diocese of Montreal

- supports Bishop's labour day message

Alan Penn,
Consultant to Grand Council
working as advisor to James Bay
Cree

- concerned about criticism of James Bay settlement
- there is a tendency to look at a settlement as a solution without talking about the problems afterward
- the signing of a settlement is only the start
- settlement of land claims recognizes rights and social opportunity
- too often it is argued that the objective is control without discussing what the control will be used for
- James Bay settlement is not everything but the frame work that it can be built on
- the natives cannot ignore impending development and neogitation process must be one of compromise
- there are common things between the James Bay settlement and the land claims of the north, for example:
 1. concern for the protection of traditionaleconomy
 2. James Bay settlement uses the present level of the game harvest as a guarantee and involves local people on the technical board drafting regulations etc. as well as setting aside areas for exclusive hunting by natives
 3. The Cree (not the Inuit) sought protection of federal statute and the Cree Act is now under negotiation
- there is a built in procedure allowing transition to greater responsibility rather than an immediate assumption of complete responsibility
- concept of using local people in direct participation in administration organizations effecting them, e.g. education, health, environment and welfare

Iris Jones

- reviewed history of colonialism throughout the world but was cut off by the Judge for going on too long

Dr. Gordon Edwards,
Canadian Coalition for Nuclear Responsibility

- concerned about dangers of nuclear power plants and the need for public inquiry
- supports moratorium on large scale development to permit the working out of an energy policy

Francois Paulette spoke on behalf of
the Indian Brotherhood

- stated he wished to clarify the position of the Dene people
- their position is that the Government of the NWT and the Government of Canada is not the Government of the Dene. It is a system that has been imposed on them and does not work for them.
- the evidence given on James Bay will not apply to the Dene in the north for they are claiming more than a settlement and they are going to determine the future of the north and its people including hunting, fishing, trapping, social, political and economic matters.
- The minister of DIAND should not force them to come up with a settlement proposal by November at the same time they are fighting the pipeline and other major development
- they are going to come up with a proposal when they have had time but not when forced to by the Government

The Judge thanked the people for their briefs and said that he was particularly interested in the briefs concerning James Bay.

I did not attend the session in the evening
but Pierre Genest did.

MACKENZIE VALLEY PIPELINE INQUIRY

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COMMISSIONER

Mr. Justice Thomas R. Berger

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P.O. Box 2817

Telephone: (403) 873-3530
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MONTREAL, QUEBEC

Monday, May 31, 2000

- | 1. Guy G. Poirier, Ph.D., Dept. of Biologie, Faculté des Sciences,
Université de Sherbrooke
- 5 2. Roger Gibbins, Ph.D., & J. Rick Ponting, Faculty of Arts and
Science, University of Calgary
- 3 *Chief Andrew Delisle*
3. ~~Arnold Goodleaf~~, Indians of Quebec Association
- 6 4. John N. Franklin, P. Eng., Executive Director, Magna Carta Councils
- ① 5. Jean Morissett, Ph.D.
- 2 6. John Ciaccia, M.N.A. Member for Mount Royal
- 4 break 7. ~~Pierre Dozois~~ *Parras*, SIDBEC
8. Régent Gagnon
9. Pierre Morin, Province of Quebec Chamber of Commerce
- ② 10. ~~Jean Morissett~~
Ernest Schiblie, Social Justice Committee of Canada.

Tuesday, June 1, 1000

- ③ 11. ✓ Jean-Marc Fortier, Gaz Metropolitan Inc.
- 12. ✗ Crossroads International
- ④ 13. Vivian and John Geeza
- 14. ✓ A.T. Dougall, Director, Purchasing, Domtar Limited
- ⑤ 15. ✓ Eric W. Mountjoy, Dept. of Geological Sciences, McGill University
- 16. ✓ Terence Ford
- 17. Jacques Boucher
- 18. Mr. E. Chalouh, Jewish Labour Committee of Canada
- ✓ 19. Debbie Eays
- 20. Rita Beauchamp, Diocese of Valleyfield

Bud 1332

Don 1330

Tuesday, June 1, 1400

21. Centre Information Communautaire
22. Eddy Gardner, Laurentian Alliance of Métis & Non Status Indians
23. Iris Jones
24. Loren Seitz, Canadian Chamber of Commerce
25. François Thibodeault, Grande Séminaire de Québec
26. Brother Phil Kelly, Office of Development, Diocese of St. Jean
27. Dr. Gordon Edwards, Canadian Coalition for Nuclear Responsibility
28. Mrs. Mary Langston and Miss Kathy Langston
29. Robert Vachon, Centre Montchanin
30. Father David Innocenti, c/o Mr. Phil Kelly
31. Rev. Ken Scyner, Anglican Diocese of Montreal

ALSO WISHING TO SPEAK

32. The Fransiscan Order, Father Ed Debonneau (5min.)
33. L'Office Division Development, Sister Lise Alarie S.PA (5 min.)
34. The Sisters of the Holy Name



Arctic Gas

MEMORANDUM

Messrs. Wilder, Horte, Brackett, Carter,
Cowper-Smith, Francis, Genest, Gray,
Harvie, Hemstock, Hollands, Macdonell,
To Rozon, Steeves, Trusty and Yarnell Date June 2, 1976
Location
From D. G. Gibson Location
Subject Montreal Berger Southern Hearing

While the Montreal Southern Hearing held on Monday and all day Tuesday produced a generally well-balanced impression, there were three submissions made by people involved in the James Bay Agreement which should be particularly interesting and relevant to us.

I attach copies of the written statements made by:

1. Billy Diamond of the Grand Council of the Crees of Quebec;
2. John Ciaccia, who negotiated the James Bay Agreement on behalf of the Quebec Government; and
3. Alan Penn, who has worked as an advisor to the James Bay Cree.

In addition, Francois Paulette, on behalf of the Indian Brotherhood of the Northwest Territories, made an attempt to refute the statements made by Diamond and Ciaccia and reminded people that the Government of Canada and the Government of the Northwest Territories are not the governments of the Dene people. He stated that it was the Brotherhood's intention to come up with a proposal, but not by November as indicated by the government. This proposal would be one which the Dene people, and not the government, want.

I also attach for your information a copy of the ruling made by Mr. Justice Berger with respect to consideration of the Alcan-Fairbanks route.

:em
attchs.

COMMUNICATION

DE LA

CHAMBRE DE COMMERCE DE LA PROVINCE DE QUEBEC

A LA

COMMISSION D'ENQUETE

SUR LE PIPE-LINE DE LA VALLEE DU MACKENZIE

MONTREAL, le 31 mai 1976

Monsieur le juge Berger,
Messieurs les conseillers de la Commission,

Le mandat que vous a confié le gouvernement du Canada d'enquêter sur l'impact socio-économique et l'impact sur l'environnement qu'occasionneraient la construction, l'exploitation et l'abandon éventuel du gazoduc le long de la vallée du Mackenzie jusqu'à l'océan Arctique est un mandat historique.

Le fait que la Commission siège actuellement au Québec, destination canadienne ultime du gaz naturel que l'on propose de transporter constitue pour nous l'assurance que cette Commission a bien saisi toute l'ampleur et tout l'impact qu'aurait la concrétisation de ce projet sur le pays.

L'objectif de la Chambre de Commerce du Québec, ce soir, en vous soumettant ses vues est d'ajouter une voix à celles qui déjà se sont portées en faveur du projet de transporter le gaz naturel du Grand Nord vers le sud.

La Chambre de Commerce de la province de Québec est la fédération des quelque 210 Chambres de Commerce et Boards of trade actifs sur tout le territoire, groupant ainsi plus de 31,000 membres. De plus, son action s'est méritée l'adhésion directe et volontaire de plus de 2,600 entreprises de toutes tailles faisant affaires au Québec.

La Chambre ne peut vous soumettre d'épais dossiers techniques pour appuyer son objectif; ce n'est d'ailleurs pas ce que la Commission attend de nous. Nous n'allons pas, non plus, tenter de vous démontrer les besoins énergétiques du Québec ni combien le gaz naturel est appelé à jouer un rôle fondamental dans leurs satisfaction. Ceci a déjà été fait devant l'Office national de l'Energie.

Nous croyons cependant que le gaz naturel originant du Delta du Mackenzie peut aider à satisfaire ces besoins énergétiques tout comme le feront l'électricité produite à la Baie James et, éventuellement le gaz naturel provenant de la région des îles Ellesmere et au large de Terre-Neuve. Si de plus, l'on devait dans ces régions y découvrir du pétrole en quantités exploitables, nous croyons qu'il devra être, lui aussi acheminé vers les populations du sud.

Loin de nous cependant l'idée de brimer dans leurs droits, dans la mesure où ils sont établis, les populations indigènes, Inuit, Métis ou Indiens dont les territoires seront traversés par ces oléoducs, gazoducs et même, possiblement, chemin de fer.

Loin de nous, aussi, l'idée de voir se réaliser ce projet sans tenir compte de l'environnement et de l'impact du projet sur des centaines, voire des milliers d'éco-systèmes.

Ceci dit, et dans la mesure où l'un ou l'autre des projets soumis sont techniquement et financièrement réalisables, nous croyons que le problème fondamental posé à cette Commission est de se prononcer en définitive sur la balance des inconvénients.

Si nous invoquons cette théorie de la balance des inconvénients, c'est à dire choisir le moindre des préjudices actuels ou potentiels, c'est que le bien commun est souvent difficile à cerner et quelquefois contradictoire. Si l'on en croit le gouvernement du Canada, il veut assurer un certain degré d'auto-suffisance énergétique au pays. C'est là une définition du bien commun.

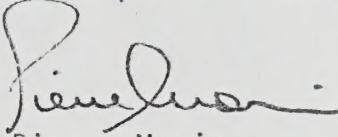
Si par ailleurs l'on en croit d'autres groupes, la qualité de l'environnement est le bien commun et il ne peut souffrir le risque de spoliation par la réalisation du projet.

La Chambre diverge d'opinion avec ces derniers quoique nous réalisons que la situation du Québec, en extrémité du réseau, ne le place pas dans une situation économique particulièrement avantageuse.

Monsieur le juge, compte tenu cependant de l'importance stratégique du gaz naturel dans la satisfaction de nos besoins énergétiques présents et futurs et aussi de la sécurité d'approvisionnement que nous procurerait l'exploitation des réserves justifiant le transport, la Chambre vous soumet qu'une appréciation fondée sur la balance des inconvénients favoriserait la réalisation du projet de transport d'énergie de l'Arctique vers le sud par la vallée du Mackenzie.

Nous croyons aussi que ce projet peut et doit se réaliser dans le respect des droits et avec le moindre impact possible sur l'environnement.

La Chambre de Commerce
de la province de Québec


par: Pierre Morin
Directeur général
Affaires publiques

Statement of evidence of

JOHN CIACCIA

before the

MACKENZIE VALLEY PIPELINE ENQUIRY

MONTREAL, P.Q.

Monday, May 31, 1976

The requirements of governments to develop the northern areas of our country present a unique opportunity for both governments and native people, not only to provide for orderly development of these areas, taking into account native needs and the preservation of their way of life, but also to bring solutions to many long-standing problems affecting these communities.

The present day mammoth developments are now bringing to our attention the problems of natives that have existed for many years. These developments are making us aware that we must abandon our traditional approach to native people. Because of the magnitude of these developments and their potential effects on native communities, it is also necessary to find safeguards to protect them.

In the enquiry which this Commission is conducting with respect to the Mackenzie Valley Pipeline, I believe that it would be useful to examine the terms of the James Bay Agreement which has dealt with the problems now facing the communities in the Northwest Territories.

The James Bay Agreement is an attempt to find solutions for both the existing problems affecting native communities and those problems created by development of the resources of those regions in which these communities exist.

This agreement has been the subject of much comment. Those who have criticized it have done so for a variety of reasons. Some are against it on the grounds that the natives were obliged to negotiate while the project was

being built. There are those who say that it doesn't give enough to the natives. Others criticize the agreement because it allows the project to proceed. Many native leaders are against it because it extinguishes native rights. Many object to the agreement because it allows further development of the territory. Others fear that it sets a precedent for other areas and will not halt other developments.

Some critics are genuinely concerned with the conditions of the natives. Others seem to give the impression that the native situation is a convenient excuse to fight governments and fight any type of development.

On the other side of the fence, and there are many persons there, let me assure you, are those who criticize the agreement because it gives too much to the natives. They refuse to accept that natives still practice their traditional pursuits of hunting, fishing and trapping. According to those critics, the natives used the excuse of the James Bay project to hold up the government and to obtain large sums of moneys and other advantages which they could not have otherwise obtained.

I negotiated this agreement. I drew up the original proposals which were made public by Premier Robert Bourassa in January of 1974.

These proposals were negotiated into an agreement in principle which was signed by all the parties on November 1, 1974 and which culminated in the final agreement of November 11, 1975.

No deadline had been or could be set to arrive at the agreement in principle. At the insistence of the native parties to the agreement, to safeguard their position in the legal proceedings which were pending at that time, a deadline of one year was set to reach a final agreement.

Prior to receiving my mandate from Premier Robert Bourassa to negotiate with the James Bay Crees and the Inuit of Northern Quebec, I was the Assistant Deputy Minister of Indian Affairs. I worked with native communities across Canada, and with their organizations, both at the provincial and national levels and it became clear to me that there was something drastically wrong, not only in the physical conditions of native communities, but also in our approach to their problems and our relationship with native people.

It appeared to me that native communities had been isolated and neglected. Native people had been made wards of the state. Decisions were made for them. The Indian Act did not give them the freedom of action which was necessary to a people. They did not have the proper resources to help themselves. They were administered by

a department which was unable to deal effectively with their problems and which has made itself obsolete. They were unable to participate in the decision making process of government, decisions which affected their lives and their future.

Furthermore, developments had already taken place near many native communities. These developments completely passed them by and took place in such a way as to further deteriorate their condition. Natives were not even allowed to help themselves. They had become a forgotten people.

The lack of involvement on the part of provincial governments further isolated the native communities.

During this time, natives were beginning to press their claims, based on aboriginal rights, against the government.

It became evident to me that many of the claims of various native groups across Canada were well-founded in part. It also seemed evident to me that the vehicle of native claims was an excellent method of effecting necessary reforms with respect to natives and their communities. Even if some of the legal arguments in support of native claims were open to interpretation, the fact remained that there were very serious problems affecting native communities,

and that governments should not take a legalistic approach to the claims. Further development near native communities under their present situation and under existing laws would further deteriorate their condition. Governments should, by their response, attempt to find solutions which would ameliorate the conditions of the natives and provide them with the necessary resources to meet the challenges of Canadian society.

This is the approach that I took to native claims in general, and to the James Bay agreement, in particular.

On November 20, 1973, I was appointed special representative of Premier Robert Bourassa with respect to the claims of the Crees of the James Bay area and the Inuit of Northern Quebec.

On November 23, 1973, I submitted to the natives the 11 point proposals which were later made public by Premier Bourassa in January 1974.

Let me assure you that the James Bay settlement was not a series of hastily conceived proposals put forth by the Quebec government during the contestation of the James Bay project and rammed down the throats of the James Bay natives.

Although the initial proposals left room for negotiation, the agreement was based on concepts which the James Bay natives had developed and put forth to both the Federal and Provincial governments long before the court judgement and my mandate from the provincial government, and which the natives had been unable to obtain. They also contained certain concepts which all natives in Canada were claiming for themselves.

It became possible to obtain the realization of these concepts and the terms of the settlement because of the hydro-electric project. It became possible, because of the requirements of development, to convince the governments concerned that it was time to recognize our obligations to native people in Northern Quebec and settle their claims - not on a purely narrow legalistic basis - but on a larger more comprehensive basis, taking into account their special circumstances and special problems.

The James Bay agreement must be interpreted and understood in terms of the objectives that it has, and the concepts and principles that it contains.

This agreement is a break with the past. It abandons our traditional approach to natives and attempts to find new concepts, not only to settle their claims,

but also to effect reforms to their situation. It rests on the basis that it is possible to proceed with the development of the territory in the interest of all the citizens of the province and at the same time protect the native people and respond to their needs.

The agreement contains important principles with respect to native people, many of which are recognized and accepted for the first time by governments.

It is not my intention to give an entire resume of the whole agreement. It would not be possible to do an adequate summary in a presentation of this nature. However, I would like to bring out some basic objectives of the agreement and refer to some of the provisions of the agreement to illustrate how these objectives are met.

1. This agreement has, as one of its principal objectives, the preservation of the way of life of the native people by protecting the traditional pursuits of the natives, those of hunting, fishing and of trapping.

To achieve this objective, the agreement contains provisions relating to:

- a) a hunting, fishing and trapping regime;
- b) a land regime and land selection;
- c) an income security program; and
- d) an environmental and social protection regime.

a) The hunting, fishing and trapping regime which has been established in favour of the natives is one of the most unique and most favourable regimes for native people that can be found anywhere in North America.

The natives are granted the right to harvest (i.e. hunting, fishing and trapping by natives) over the entire territory at all times, both for personal and community use; they are granted guaranteed levels of harvesting; they are granted priority of harvesting over and above the guaranteed levels. They have exclusive trapping rights and exclusive right to hunt and fish certain species reserved only for the natives.

To review, manage and supervise the hunting, fishing and trapping regime, a Co-ordinating Committee is established which is made up of equal representation between the natives and the government.

There is the direct participation of native people in the formulation and supervision of laws and regulations concerning the hunting, fishing and trapping activities of the entire territory for natives, as well as non-natives. This is the first time that any government has accepted such a principle in an area of activity which is of the utmost importance to the natives.

b) The land regime must be read and understood together with the provisions of hunting, fishing and trapping.

The Crees and Inuit are granted a total of 60,000 square miles of Category II lands over which they have the exclusive right to hunt, fish and trap, and over which they also have the exclusive right to outfitting facilities. I am informed that this area is equivalent to the area of all the maritime provinces.

The Crees are granted 2,158 square miles of Category I lands, and the Inuit 3,250 square miles.

Because of the desire of the Crees to maintain certain federal jurisdiction over a portion of their territory, the land tenure between the Crees and the Inuit is different. But the objectives of these grants of land are similar - to provide sufficient land for the native communities for their present and future needs as

communities - lands that the natives can control and utilize for their own personal and community needs.

The Crees have selected all of their lands, including Category II lands. Some of these selections, especially in the vicinity of non-native communities such as Mistassini, were very difficult to make. Much opposition was received by some of these communities. However, the government managed to meet the requirements of the Crees in working out the details of the selection of lands.

c) The income security program contained in the agreement is another provision designed to safeguard the traditional pursuit of the natives. This program, in effect, is a guaranteed annual income program for those natives who wish to pursue hunting, fishing or trapping as a way of life. It may well be the first guaranteed annual income program for any group in North America, and is designed specifically for those natives who wish to maintain their traditional pursuits.

d) The protection of the environment also contains new concepts and procedures designed to help protect the way of life of the natives. The name of the regime itself is an indication of its thrust. It is called the

"Environmental and Social Protection Regime". Impact assessment studies are mandatory in projects which are recognized as having a potential impact on the environment and on the natives. These studies must consider and evaluate the impact, not only on the physical environment, but on the social environment of those to be affected. Guidelines are set forth and accepted by governments respecting those factors to be considered in deciding whether projects should proceed. The governments undertake to give due consideration, for example, to the protection of native people, societies, communities and economies, with respect to developmental activity affecting the territory.

The native people are given meaningful participation on the Committees established to review and oversee the administration and management of the Environmental and Social Protection Regime and to evaluate and make decisions with respect to individual future projects.

2. The agreement also recognizes that governments may proceed to develop our resources but must do so in an orderly manner with safeguards for native communities, and that the native voice will be heard and will participate in the structures which have power to impose conditions of development.

It is unrealistic to expect that development will not take place - but it would be callous and unjust if developments were allowed to proceed without taking into account, and protecting, the social, cultural and economic life of the native population. This, the James Bay agreement, attempts to do.

3. The agreement also provides for the meaningful participation of natives in the government process.

If the native people are to remove themselves from being wards of one Federal government department, it is essential that they participate in all aspects of governmental decisions, in all the important areas of governmental activities. It is also essential that they relate to the communities which surround them. Since many of the important governmental activities in the province are under provincial jurisdiction, it is, therefore, essential that the native communities relate not only to the Federal government, but also to the provincial government.

In addition to the participation of the natives in the Environmental regime and in the Hunting and Fishing regime, there are structures for local and regional government. The Cree Regional Authority has certain powers

beyond Category I lands. The Kativik Regional Government covers an entire region north of the 55th parallel.

And all of these structures relate to, and work with, the appropriate provincial authorities - with proper safeguards, of course, relating to the control of lands granted to the natives.

4. The agreement accepts the principle that the natives must be furnished with the proper resources under their control and that they must be allowed to use their own initiatives in managing their resources and their lives.

The \$225 million which are to be paid to the natives will be paid to corporations which are totally controlled by the native people. This was a difficult concession to obtain from the Federal government which has not totally abandoned its paternalistic approach to natives.

The provisions of the agreement relating to economic and social development will permit those natives who so wish to choose alternatives to their traditional pursuits.

5. The agreement recognizes that the native people have a language and a cultural heritage different from that of other Canadians and accepts the principle that this language and cultural heritage must be protected.

There are various provisions recognizing the use of the Cree and Inuit languages in various official government bodies, both at the local and regional levels.

This use is recognized both for individuals and for the official structures of government.

The agreement provides for the creation of a Cree School Board and a Kativik School Board with all the powers of a school board under provincial laws, plus certain additional powers as specified in the agreement and with powers to "develop courses, text books and materials designed to preserve and transmit the language and culture of the native people". The teaching languages include Cree and Inuit.

There are special provisions relating to the administration of justice and policing which reflect the special needs of the Crees and the Inuit. For example, the Minister of Justice shall establish programs to train non-native persons who are designated as judges or public officers, in the particular problems of the judicial district in which the natives are situated, as well as respecting the usages, customs and psychology of the Crees in the said district.

6. The agreement provides that it takes precedence over other federal or provincial legislation, including the Indian Act.

The present Indian Act is one of the major obstacles to any reform in the native communities and their relationship to Canadian society. No other groups of persons in Canada would tolerate its provisions if applied to them. The terms of the James Bay agreement take precedence over the entire Indian Act, and amend many of its obsolete portions.

The agreement also provides that suitable legislation will be enacted to safeguard all of those rights granted under the terms of the agreement.

It is, therefore, imperative that proper legislation be enacted by both the Federal and Provincial governments to guarantee the rights that are granted to the natives in the agreement. The agreement provides for the extinguishment of native rights which, prior to the signing of the agreement, were undefined. This must be replaced by proper legislation safeguarding the rights granted in the agreement, otherwise, the position of the natives could be seriously jeopardized. Both governments, therefore, must pay special attention in giving effect to this provision of the agreement.

These, then, are the principal objectives of the agreement. The agreement has followed two guiding principles - two principles of equal importance.

The first is that the government will utilize the resources of its territory for the benefit of all of its people, but must take the necessary measures to ensure the orderly and rational development of these resources.

The second principle is that we must recognize the needs of the native people who have a different culture and a different way of life from those of other citizens of Canada, and that necessary steps must be taken to provide for those needs.

If governments do not develop the resources of the north, this will not necessarily help the natives. The contact between natives and non-natives as a result of development began many years ago. The harm that has already been done must be undone. Failure to proceed with further development will not ameliorate the tenuous relations presently existing between certain native and non-native communities. Nor will it provide better living conditions for many native communities existing in poverty and on the edge of despair.

Without the James Bay project there would be no agreement. Unfortunately, governments rarely act with that degree of foresight, generosity and magnanimity which many of us would expect. Governments usually respond to situations and, in this case, the response of government was made necessary by the hydro-electric project.

For the first time, governments have accepted certain concepts and certain obligations which they had failed to accept previously. In that sense, the agreement is a precedent. The principles that it contains cannot be ignored - either by governments or by other natives. It is to be hoped that both groups will strive to utilize these principles in other areas of the country to solve the problems which face them, the natives, hopefully, by being realistic and the governments, hopefully, by being idealistic. In that manner, development can be an opportunity to effect important reforms while providing adequate protection to the native communities.

John Ciaccia
May 31, 1976

C512

→ DAVE



ENQUETE SUR LE PIPELINE DE LA VALLEE DU MACKENZIE

REPERCUSSIONS SOCIALES, ECONOMIQUES ET SUR L'ENVIRONNEMENT ENGENDREES PAR LA CONSTRUCTION, L'EXPLOITATION ET L'ABANDON ULTERIEUR DES PIPELINES PROJETES POUR LES TERRITOIRES DU NORD-OUEST ET LE YUKON

DEPOSITION ECRITE

AU NOM DE SIDBEC ET SES FILIALES

PRESENTEE PAR

JEAN-PAUL PERRAS, GERANT - ACHATS DE FOURNITURES ET DE SERVICES -
SIDBEC-DOSCO LIMITEE

31 MAI 1976

1. Q. Monsieur Perras, quels sont vos prénom et occupation?

R. Je m'appelle Jean-Paul Perras et suis gérant - achats de fournitures et de services chez SIDBEC-DOSCO LIMITEE.

2. Q. Monsieur Perras, le document en annexe à la présente déposition et portant votre nom en en-tête est-il une description exacte de vos qualifications académiques et professionnelles?

R. Oui.

3. Q. Monsieur Perras, êtes-vous mandaté pour déposer au nom de SIDBEC et ses filiales dans le cadre de la présente enquête?

R. Oui, je le suis.

4. Q. Monsieur Perras, pourriez-vous nous décrire parmi vos responsabilités à titre de gérant - achats de fournitures et de services chez SIDBEC-DOSCO LIMITEE celles qui sont plus particulièrement pertinentes à l'objet de votre déposition?

R. Entre autres choses, c'est à mon service qu'il incombe d'assurer à SIDBEC un approvisionnement adéquat et continu, j'insiste sur le mot continu, des diverses formes d'énergie nécessaires à ses activités et, de façon plus pertinente et plus spécifique, de lui assurer un approvisionnement adéquat et continu en gaz naturel.

5. Q. Monsieur Perras, pourriez-vous nous décrire votre société et son objet et ainsi établir la pertinence de son intervention dans la présente enquête?

5. R. SIDBEC, dont tout le capital-action est la propriété du gouvernement du Québec, a été constituée en corporation en 1964 afin d'assurer l'implantation au Québec d'un complexe sidérurgique intégré et de répondre prioritairement aux besoins du Québec en acier. Il s'agissait aussi de corriger un déséquilibre dans le développement industriel de la province. Toutefois, malgré l'urgence de ces impératifs, SIDBEC a dû s'incliner devant d'autres exigences, d'ordre technique et économique cette fois, et s'implanter par étapes modestes. Cela a imposé le double choix et du procédé de four électrique et du procédé de réduction directe du minerai (extraction de l'oxygène).

Le procédé de réduction directe alors choisi fut celui de la réduction directe au moyen du gaz naturel. Ce procédé permettait une utilisation très efficace et très économique du gaz naturel. De plus, c'était et c'est toujours l'agent réducteur le moins polluant. A toutes fins pratiques, en 1970, c'était vraiment le seul agent réducteur qui s'offrait à SIDBEC. Nous n'avions pas le choix. D'ailleurs nous ne l'avons toujours pas. Soulignons aussi que l'usage que SIDBEC en fait est principalement chimique, ce qui représentera environ quatre-vingt-dix pour cent (90%) du volume total en 1985.

Durant les cinq (5) dernières années, SIDBEC a connu une expansion qui a nécessité des immobilisations de quelques \$200,000,000. Pourtant le complexe ainsi mis en place ne produira que sept pour cent (7%) de l'acier produit au Canada alors que la consommation du Québec s'élève à environ vingt-six pour cent (26%) de la consommation canadienne.

6. Q. Monsieur Perras, quelle est la consommation actuelle et future de SIDBEC en gaz naturel?

- R. Lorsque ce que nous appelons les phases III et IV de nos projets d'expansion auront été réalisées vers 1985, SIDBEC aura doublé sa consommation de gaz naturel. C'est donc dire qu'elle sera passée d'une cadence annuelle de huit (8) BCF en 1975, à une cadence de dix-sept (17) BCF en 1977 pour finalement atteindre une cadence annuelle de quarante-trois (43) BCF en 1985 environ, c'est-à-dire quarante-trois milliards de pieds cubes.

Après les années 1984-1985, nous prévoyons que le développement normal de notre entreprise, c'est-à-dire toute expansion majeure exceptée, entraînera

6. R. (suite)...

une augmentation de notre consommation de gaz naturel d'au moins cinq pour cent (5%) par année.

7. Q. Monsieur Perras, quels commentaires SIDBEC veut-elle apporter dans le cadre de cette enquête?

R. A notre avis, pour faire face à la pénurie de gaz naturel appréhendée pour les années 1980-1982 et combler adéquatement les besoins pressants de SIDBEC en gaz naturel, tout doit tendre à trouver des réponses rapides et valables aux questions posées par la mise en place dans les territoires du Nord-Ouest et le Yukon des pipelines nécessités pour l'acheminement du gaz naturel de ces régions vers l'est du pays et notamment vers le Québec. Il nous faut faire très vite et très bien.

Tout doit donc être mis en oeuvre pour régler de front et au plus tôt les revendications légitimes des autochtones, respecter l'environnement et préserver l'équilibre écologique de ces régions tout en accédant à la fois aux aspirations et aux besoins du Nord et du Sud du pays, sans causer préjudice à l'une ou l'autre des parties.

Tout retard à trancher ces questions entraînerait un retard dans la livraison du gaz du Mackenzie; ce qui par ricochet serait néfaste pour SIDBEC, pour l'économie du Québec et celle du Canada tout entier. Quant aux conséquences sociales qu'une telle pénurie déclencherait, elles sont alarmantes.

Or il est de plus en plus certain que nous occasionnerons des retards si nous tentons plutôt de régler ces problèmes les uns après les autres ou d'en reporter la solution à plus tard.

Dans toute cette affaire l'échéancier est en effet très important. Une saine planification des activités et de l'expansion de SIDBEC exige que nous ayons en main toutes les données requises au moins dix (10) ans à l'avance. Ceci signifie qu'il nous faut à tout prix éliminer toute incertitude quant à l'approvisionnement de SIDBEC en gaz naturel durant les années quatre-vingts.

8. Q. Monsieur Perras, la satisfaction partielle des besoins en gaz naturel de SIDBEC est-elle une solution adéquate?

8. R. On ne peut songer sans vertige aux conséquences désastreuses d'une pénurie totale ou partielle de gaz naturel. Les approvisionnements de gaz naturel disponibles doivent être adéquats pour la protection non seulement des investissements déjà effectués mais aussi de ceux pour lesquels nous nous engageons actuellement chaque jour. Il est donc impérieux de nous ménager une planification harmonieuse, sereine et sans heurt si nous voulons éviter des réveils brutaux et des remous économiques désastreux.

Pour SIDBEC, cette question d'approvisionnements garantis, en volumes adéquats et en temps voulu, est vitale, puisque le gaz naturel est indispensable dans notre procédé de réduction.

Un Canada responsable ne peut accepter de ne satisfaire lui-même qu'à une partie de ses besoins énergétiques et de se fier pour le reste au hasard des solutions fortuites de dernière heure.

La santé de SIDBEC est importante pour le Québec et un Québec fort est important pour le Canada. SIDBEC est sans doute le plus grand consommateur de gaz naturel au Québec avec des besoins concrets et bien réels dans l'immédiat qui iront croissants durant les prochaines années. Elle doit donc pouvoir compter sur des approvisionnements ininterrompus et en volumes adéquats.

Il s'ensuit que SIDBEC ne peut être indifférente à tout ce qui affectera sa viabilité de demain et doit donc prendre tous les moyens afin de l'assurer. C'est ainsi qu'en collaboration avec SOQUIP aussi bien que par ses propres moyens, SIDBEC essaie de s'approvisionner directement dans l'Ouest canadien en achetant certaines réserves de gaz naturel tout en espérant que ces efforts conjugués nous permettront d'attendre l'arrivée sur nos marchés du gaz naturel de la Vallée du Mackenzie qui, à ce jour, est le seul qui promet de rencontrer adéquatement les besoins de l'économie canadienne dans des délais et à des coûts acceptables.

9. Q. Monsieur Perras, cette urgence à trouver des solutions valables pour l'ensemble du Canada doit-elle prévaloir à tout prix?

R. Entendons-nous; elle doit prévaloir, oui; mais non pas à n'importe quel prix. L'urgence qu'il y a à protéger les droits des populations du Sud et de l'Est ne doit pas nous faire oublier l'urgence qu'il y a de protéger les droits des populations du Nord-Ouest et du Yukon. Les conséquences de la protection des

9. R. (suite)...

intérêts de l'un au dépens de l'autre sont politiquement non rentables, la décision de ne prêter l'oreille qu'à un des groupes est socialement indéfendable et les coûts rattachés à l'inaction sont économiquement inacceptables.

Mais nous voulons souligner que pour SIDBEC il existe un seuil au-delà duquel le coût du gaz naturel deviendra prohibitif. Toutes les solutions envisagées doivent donc s'inscrire dans les limites du raisonnable, de l'accessible, du juste et du pondéré.

10. Q. Et en guise de conclusion, Monsieur Perras?

R. SIDBEC croit en l'interdépendance des économies des diverses régions du Canada. Tout ce qui affectera le Nord affectera le Sud et vice-versa. Chacun de nous doit pouvoir se développer selon son propre idéal et selon sa propre voie à même nos propres richesses naturelles. Mais, tout en respectant ce droit, il serait déraisonnable et suicidaire de permettre à d'autres d'enrayer le développement des ressources du Nord-Ouest et du Yukon quand l'alternative aberrante est d'être de plus en plus à la merci de sources étrangères d'énergie pour assurer le développement de notre propre économie nationale. Nous devons nous dégager d'un tel joug, nous soustraire aux soubresauts de l'aléatoire et essayer de trouver un meilleur équilibre à nos sources d'approvisionnements en énergie. Et nous soumettons à votre réflexion que c'est par la voie du compromis que nous y parviendrons.

En terminant, je voudrais dire à Fred Andrew de Fort Norman, qui a déjà déposé devant vous, M. le Juge, que nous sommes prêts à payer notre passage chez lui un prix juste et raisonnable, et que, loin de nous diviser, les problèmes que nous affrontons devraient nous unir. Tendons-nous la main au dessus des difficultés et dans une même volonté nationale tentons d'accéder à notre épanouissement mutuel.

JEAN-PAUL PERRASEDUCATION

Immatriculation, Juniorât de Papineauville (1941)

Technicien en sciences textiles, Institut des textiles de la province de Québec (1950)

Administration - Université Sir George Williams (4 ans)

EXPERIENCE PROFESSIONNELLE

1941 - 1945	Montreal Locomotive Works - service d'inventaire et planification des matières premières.
1950 - 1956	Dominion Textile Limitée - planification de la production et service des ventes.
1956 - 1958	Workman Bag Company Ltd - vendeur
1958 - 1967	Yarntex Corporation Limited - vendeur et à compter de 1962, gérant des ventes - filés pour tapis et tissus d'ameublement.
1967 - 1972	Elpée Limitée (filés pour tapis et tissus d'ameublement) - président-directeur-général.
1972 - 1974	Consultant en administration et en personnel.
1974 à ce jour:	SIDBEC-DOSCO LIMITEE - gérant - achats de fournitures et de services.

ASSOCIATIONS PROFESSIONNELLES

Membre de l'American Society for Metals (ASM)

27/V/76

MACKENZIE VALLEY PIPELINE INQUIRY

SOCIAL, ENVIRONMENTAL AND ECONOMIC IMPACT IN THE
NORTHWEST TERRITORIES AND THE YUKON OF THE CONS-
TRUCTION, OPERATION AND SUBSEQUENT ABANDONMENT OF
PIPELINES PLANNED FOR THESE REGIONS

BRIEF ON BEHALF OF

SIDBEC AND ITS SUBSIDIARIES

PRESENTED BY

JEAN-PAUL PERRAS - MANAGER - COMMODITIES AND SERVICES PURCHASES -
SIDBEC-DOSCO LIMITEE

MAY 31, 1976

SIDBEC AND ITS SUBSIDIARIES

BRIEF PRESENTED BY JEAN-PAUL PERRAS

1. Q. Mr. Perras, please state your full name and occupation?

A. My name is Jean-Paul Perras and I am Manager - Commodities and Services Purchases at SIDBEC-DOSCO LIMITEE.

2. Q. Mr. Perras, is page 1 of the Annex to this brief and bearing your name at the top an accurate description of your academic qualifications and professional experience?

A. Yes.

3. Q. Mr. Perras, are you authorized to present this brief on behalf of SIDBEC and its subsidiaries in relation with the present hearings?

A. Yes, I am.

4. Q. Mr. Perras, would you describe those of your responsibilities as Manager - Commodities and Services Purchases of SIDBEC-DOSCO LIMITEE which are particularly relevant to the purpose of this brief?

A. Among other things, it is my department's duty to ensure SIDBEC and its subsidiaries adequate and continuous supplies, and I insist on the word continuous, of the various forms of energy needed for its operations, and more to the point and more specifically, adequate and continuous supplies of natural gas.

5. Q. Mr. Perras, would you describe your company and its objectives in order to qualify its intervention in the present Inquiry?

5. A. SIDBEC, whose capital stock is owned entirely by the Government of Québec, was incorporated in 1964 in order to establish integrated steelmaking facilities in Québec and to supply primarily the steel requirements of Québec to correct an imbalance in the industrial structure of the Province.

Nevertheless, for technical as well as economic reasons and despite the existing dire urgency, SIDBEC had to proceed by small steps. We thus had to select the electric furnace process and the direct reduction (extraction of oxygen) process.

The selected reduction process used natural gas. This process was very efficient and economical in its use of natural gas. Moreover it was and still is the one process which causes the least pollution. In 1970, it was really the only direct reduction agent available to SIDBEC. We did not have the choice then. And we still do not have it today. It is important to note that SIDBEC uses natural gas primarily for chemical purposes, i.e. approximately ninety per cent (90%) of the total volume in 1985.

Over the last five (5) years, SIDBEC has expended over \$200,000,000. on a facility which will provide only about seven per cent (7%) of the Canadian steel production in a market with more than twenty-six per cent (26%) of the Canadian consumption.

6. Q. Mr. Perras, what is SIDBEC's current and future natural gas consumption?

- A. Completion of SIDBEC's expansion plans through 1985 will require doubling the present natural gas consumption. This means that it will gradually move from an annual rate of eight (8) BCF in 1975, through a seventeen (17) BCF rate in 1977 to a yearly rate of forty-three (43) BCF in 1985 approximately.

After 1984-1985, we predict that our Company's normal development, that is exclusive of any major expansion, will cause an increase of our natural gas consumption of at least five per cent (5%) per year.

7. Q. Mr. Perras, what comments does SIDBEC wish to submit to this Inquiry?

7. A. In order to avoid the natural gas shortages expected around 1980-1982 and meet adequately SIDBEC's pressing natural gas needs, we believe that everything must be mustered to help us find rapid and valid answers to the problems created by the construction in the Northwest Territories and the Yukon of the pipelines required to feed natural gas to Eastern Canada and specifically to Québec. We have to make the right move and make it fast.

Consequently we must do everything we can to settle at once and concurrently the legitimate claims of the native populations, protect the environment and preserve the ecology of these areas while at the same time recognizing and satisfying the aspirations and the needs of northern as well as southern Canada, without prejudice to either party.

Any delay in settling these matters will result in the Mackenzie gas reaching industrial markets too late; that would in turn have a very negative impact on the economies of SIDBEC, of Québec and of the whole of Canada. And the social implications of such a possible shortage are simply alarming.

It is more and more obvious that we will be late if we try to solve all of these problems one by one or try to put off their solution at a later date.

The timetable in this whole matter is of the utmost importance. Meaningful planning of SIDBEC's activities and expansion require that all facts be on hand at least ten (10) years in advance. This is why any doubt about SIDBEC's gas supplies during the eighties must be eliminated now.

8. Q. Mr. Perras, would you say that a partial delivery of SIDBEC's natural gas requirements would be an appropriate solution?

- A. One's head reels when one thinks of the disastrous consequences of a partial or total natural gas shortage. Not only must gas deliveries be adequate enough to protect present investments but also to protect those for which we commit ourselves every day. It is therefore imperative that we find ways to plan in an harmonious, serene and steady context. Otherwise the awakening will be jarring and the economic backlash severe.

8. A. (suite)...

Because natural gas is not interchangeable in our process, continuous, regular and guaranteed arrivals of natural gas are vital to SIDBEC.

A responsible Canada cannot accept to look after only part of its energy requirements and rely on haphazard last minute solutions to take care of the balance.

SIDBEC's well being is important for Québec and a strong Québec is important for Canada. Probably Québec's largest natural gas consumer, SIDBEC has present-day real and specific needs to satisfy. As these needs will go on growing in the next few years, it follows that SIDBEC must be assured that continuous and adequate supplies will be available.

It also follows that SIDBEC cannot be indifferent to what might affect its future and must seek out every means available to insure its viability. So either through SOQUIP or on its own, SIDBEC has started to protect its own supplies by buying up natural gas reserves in western Canada. We hope that these various concerted efforts will make it possible for us to wait till the Mackenzie Valley natural gas reaches the Montréal market : so far this gas seems to be the only solution with any chance of adequately meeting Canadian needs on time and at a reasonable price.

9. Q. Mr. Perras, must we be guided by this urgency at any cost?

A. Let us be clear on this; we must give priority to this urgency but not at any cost. The urgency to protect the rights of southern and eastern Canadians must not blind us to the urgency of protecting the rights of the populations in the Northwest Territories and the Yukon. The price tag of protecting the rights of one group at the expense of the other is politically unsound, the decision to listen to one group only is socially unacceptable and the consequences of inaction are economically disastrous.

But we wish to point out that for SIDBEC there is a threshold beyond which the price of natural gas will be prohibitively expensive. All solutions retained must then of necessity be within reason, within our means, within justice and within ponderation.

10. Q. What is your conclusion, Mr. Perras?

A. SIDBEC believes that Canada's various regional economies inter-react. Whatever affects the north will also affect the south and vice versa. Each one of us must be able to evolve along his own path, to follow his own ideal, using our own natural resources. But even while we respect this right, it would be unreasonable and suicidal to allow anyone to prevent the development of the resources of the Northwest Territories and the Yukon. The mind-boggling alternative is to be more and more at the mercy of foreign sources of energy to insure our national economic development. We must be free of such constraints, avoid the jolts of improvisation and try to strike a better balance in the origins of our energy supplies. And we submit to your reflexion that we will get there only if we travel the road of compromise.

As a parting message, I would like to say to Fred Andrew of Fort Norman, who has already spoken before this Inquiry, your Honor, that we are ready to pay a just and reasonable price to go over his land. And that far from keeping us apart, the problems we face should keep us united. Let us shake hands and bridge our difficulties; let us try to reach mutual self-fulfilment, moved by the same national spirit.

JEAN-PAUL PERRASEDUCATION

Junior Matriculation, Juniorât de Papineauville (1941)

Textile Technician, Institut des textiles de la province de Québec (1950)

Business Administration, Sir George Williams University (4 years)

PROFESSIONAL EXPERIENCE

1941 - 1945 Montreal Locomotive Works -
Scheduling clerk - Materials department.

1950 - 1956 Dominion Textile Limitée -
Production scheduling and Industrial fabrics inside sales.

1956 - 1958 Workman Bag Company Ltd -
Salesman.

1958 - 1967 YarnTex Corporation Limited - Salesman and from 1962 on Sales
Manager - Carpet and upholstery yarn division.

1967 - 1972 Elpée Limitée - (carpet and upholstery yarn)
President and chief executive officer.

1972 - 1974 Survey analyst, general management and personnel consultant

1974 to this SIDBEC-DOSCO LIMITEE - Manager - Commodities and Services Purchases
day

PROFESSIONAL ASSOCIATIONS

Member of the American Society for Metals (ASM)



social justice committee of montreal
1175 filson st., montreal, quebec, h4j 1t4, canada

BRIEF
presented to the
MACKENZIE VALLEY PIPELINE INQUIRY
MONTREAL, MAY 31, 1976

Mr. Commissioner: We welcome this opportunity to present our concerns to you regarding the proposed Mackenzie Valley pipeline. We believe that it would be best that we begin with a brief outline of who we are and what we are trying to do. The Social Justice Committee of Montreal represents a group of Montrealers actively committed to the struggle for social justice in both the international and Canadian arenas. The Committee, formed early in 1975, grew in direct response to increasing reports of world-wide starvation, publicized by such events as the World Food Conference in Rome, 1974, and by such statements as Sharing Daily Bread by the Canadian Catholic Conference in the autumn of the same year. Part of our inspiration was derived from Prime Minister Trudeau's 1975 New Year's Message in which he stated:

"In future, Canadians are going to be forced by circumstances into even greater sharing, and this will not be easy.....Yet the real power to help is in the hands of governments and international agencies. Let us not forget that they act on our behalf and that each one of us has both the right and the duty to exert pressure on them."

The goals of the Social Justice Committee of Montreal might best be described as follows:- to educate ourselves and our fellow Canadians as to the extent and causes of poverty throughout the world and to lead people to commit themselves to the establishment of a more just social and economic order.

We began as a group of people who were, by and large, quite ignorant as to the real causes of hunger in this world. In fact, when we look back now at the first weeks of our existence, we were quite presumptuous in believing that we were going to help people of the Third World. However, in the course of our studies we quickly came to see that hunger is basically the result of poverty and that much of the poverty in the

world is the result of man-made structures. In short, much of the hunger which is now the lot of so many people around the world is the result of colonial and neo-colonial patterns of development. We have seen how the mineral, agricultural and arboreal wealth of many people has been exploited by the few for their own benefit, leaving very little to the large majority of the world's population. Nor has this been a pattern of the past only, but exists very much in the world of the '70s. Even today, after political independence has been granted to most peoples, the natural resources of many Third World countries still remain under the control of Western-based institutions and corporations and are used for the benefit, not of the world's poor, but of the rich. The very understandable and justified desire for national self-reliance is at the heart of Third World efforts to establish a new international economic order.

It is without hesitation that we say that this desire on the part of the Third World is to a large extent being frustrated by us in the 'Developed World' who are ever so anxious to protect our standard of living. It is our society's thirst for an ever-increasing share of the world's wealth which has lead to the growing poverty of the majority of the world's population. What we are only coming to realize right now, is that hunger, disease and death in the Third World is not the only result of the present system. The breakdown of our society in the West can also be largely ascribed to the same cause. At the same time as millions in the world are suffering from too little we, on our part, are suffering from too much and from our greed for more. It is not just by coincidence that we are experiencing increased air and water pollution, rising crime rates, mounting alcohol and drug abuse, the breakdown of family life, the neglect of the powerless such as the elderly, the poor and the handicapped, and so on. Our problems are just the other side of the coin which permits millions to suffer abject poverty so that a relative few may bask in luxury.

This is what we meant when we said it was presumptuous of us to think that we would be primarily helping the Third World. As we work for the

establishment of a new, more just order we will benefit just as much as anyone else. An equally interesting fact to us is that back in September last when we were asked what we were doing concerning the Canadian North we responded that we were too busy with the problem of hunger and our resources were too limited to enter into a new field of endeavor. Since then, however, we have come to see that the very same forces which are causing poverty and starvation in Third World countries are at work in the Canadian North and that if they are not resisted they will contribute to misery in the North and increased unhappiness here in the South.

We do not pretend to be experts on the Canadian North nor in any way do we presume to speak for the native peoples of the North. They are very capable, as has been demonstrated before this inquiry during the past few months, of speaking for themselves. Instead, we wish to speak from our own vantage point, as Montrealers, concerned not only with justice for other people but with what is also happening to us. We know what our ceaseless demands for more and more of the world's wealth is doing to others as well as to ourselves and so we cry: Enough! for God's sake, ENOUGH.

We are told by the Government of Canada and by the energy companies that we must have this pipeline because we need the energy that is in the north if we want to continue to grow. We are even threatened with the prospect of rationing, of unheated homes if this pipeline does not go through. The fact that there are people there whose way of life might be completely upset does not matter. We cannot even take the time to investigate matters. We must go ahead immediately.

Mr. Commissioner; we don't believe it. There are too many unanswered questions. There is too much at stake to move so quickly. We say no. Let us answer some questions first. Let us do our homework.

First of all. Do we really need the pipeline, and if so, why? We know that during the course of this inquiry you have heard this before but nevertheless it must be answered. How is it that just five short years

ago we were told that we had enough natural gas to serve projected Canadian needs for something like 392 years and now we are told that there is only enough for 8 years or so? Who is kidding whom? Either someone is stretching the truth an awful long way or else they are totally incompetent. Either way, it certainly does not inspire one to put his trust in these same people who are the very ones calling for the immediate development of northern reserves and the construction of the pipeline. Even if, and this is not a point we are prepared to concede, the present estimates of the National Energy Board should be correct and their most pessimistic figures used, independent studies have shown that this could be extended until into the twenty-first century, giving more than enough time to study the whole situation.

Our second question deals with who stands to benefit from the immediate construction of the pipeline. Is it the native people? We are told that they will benefit in several different ways. They will have increased employment, better services and greater access to consumer goods. So we are told but these are the same arguments which have been used all over the world whenever there has been a conflict between exploitation and the rights of people. Employment? Almost without fail the native populations very seldom benefit from employment. More often than not the employment demanded is of a highly skilled nature and people are brought in from elsewhere to do the work. The only work the natives receive is of a very menial nature and frequently temporary. Barnett and Muller in Global Reach state: The one characteristic of global corporate technology with the most devastating consequences for poor countries is that it destroys jobs."² This judgement is supported by Tissa Balasuriya O.M.I. writing in the December, 1974 issue of Logos, who says:

"Hence the claim that big corporations help increase employment needs to be carefully looked into and not accepted too naively. At the world level their contribution to employment increase seems rather negative."³

Recent articles in Montreal newspapers concerning the employment of Cree Indians in the James Bay area only confirm these statements. As for the services they are supposed to receive the experience of the Indians

in Brazil gives some idea of what these services can do.⁴ So they are left with color television and a bottle of cola or something else in exchange for the destruction of their way of life. No. The natives don't benefit. The very fact that they are saying no to this development is proof of the pudding. Will the pipeline benefit us, the people of Southern Canada? At first glance it might seem that it will for it will give us more energy. But is this really of benefit? Even the most optimistic reports say that there is really not all that much natural gas available in the North. At best it will keep us going for a few years more until we can find it somewhere else. Instead of our making serious efforts to conserve energy and eliminate waste we will be able to continue on our merry way for a few years more acting as if all our resources were without limit. We can say the same thing for the people of the United States. The pipeline will help us to honor commitments to supply them with a certain amount of gas, commitments made when we were told that we had all surplus gas. In the long run, however, it will do little to help them face their problem of over-consumption, a problem every bit as grave as ours.

So whom will the pipeline really benefit? It seems to us that there is only one category of people left - the consortium of companies involved in this whole project. Since they are in business for the sake of making a profit and since they are so eager to begin without delay one can only come to the conclusion that they foresee a very good return on their dollar (and ours). The recent flood of commercials on television telling us about the wonderful things the energy companies are doing in the North have a purpose and that purpose is to convince Canadians that we should press on with the development of the North, or rather, that we should turn over the development of the North to these companies who are so interested in our welfare. The phony crisis of 1973 shows us just how public-minded these companies are and the fact that they are now in the process of changing their accounting methods to hide their ever-increasing profits is adequate proof of where they stand.⁵

To sum up our position, we see the present desire to construct a pipeline down the Mackenzie Valley as another episode in the colonial pattern of

development whereby a relative few see the opportunity to turn a profit at the expense of the majority, especially of those who were there in the first place. It is for these reasons that we say no to the pipeline at the present time and call for:

1. a moratorium of at least ten years on all Northern Development.

In doing this we align ourselves with many other groups which have made the same appeal. We will not go into the details of the benefits which would accrue as a result of a moratorium since others have already done this more than adequately. Instead, we will simply list some of the activity that should take place during this moratorium so that when it ends we will be able to work in a manner much better suited for the welfare of all:

- a) first of all, land settlement treaties must be completed with the Native peoples of the area.
- b) independent studies should be made of the consequences and benefits of further natural gas development and of alternate methods of delivery.
- c) a national energy policy should be formulated which will not only be concerned with the immediate good of some of us but which will take into account the fact that we are stewards of dwindling resources which are for the benefit of all mankind.
- d) adequate safeguards be established to protect the ecology of the area.

2. for an investigation of the National Energy Board to determine the reasons for the huge discrepancy between 1971 and 1974 estimates of energy reserves and the formulation of a set of measures to protect us from this ever happening again.

By way of conclusion, we also wish to say that even if all our questions to date can be adequately answered, we still ask 'By what right can we just go and take something from others just because we need it? Does might make right?' If we can move in on the Natives and say 'You are so few and should not hold up the development of we southerners who are

much more numerous,' what is to stop other nations of the world who are still more numerous than us from using the very same arguments to move in on our resources?

We thank you once again, Mr. Commissioner, for listening to us. It is not often that groups such as ours have the opportunity to express ourselves in the public forum and we appreciate very much what you are doing.

NOTES

1. Taken from a Statement to the House of Commons Standing Committee on Natural Resources and Public Works by The Committee for Justice and Liberty Foundation, page 4.
2. Barnet, Richard J. and Muller, Ronald E., GLOBAL REACH The Power of the Multinational Corporations, (New York, Simon and Schuster, 1974) p.166.
3. Balasuriya, Tissa, O.M.I., Multinational Firms in Asia, Logos (Colombo, Sri Lanka, Centre for Society and Religion) December 1974, p.12.
4. Clarke, Tony, Smith, William, Draiman, Tim, and Menes, Fr. Lou: Colonial Patterns of Resource Development: A Case Study of the Native Peoples' Struggle in the Amazon Basin of Brazil and Its Implications for the Northwest Territories", Statement of Evidence before the Mackenzie Valley Pipeline Inquiry, Yellowknife, N.W.T.
5. Science Council of Canada, Report #34.

N.B. The above brief has been endorsed by the Montreal Committee of Ten Days for World Development.

This brief has also been endorsed by Bishop Leonard Crowley, Auxiliary Bishop of the Archdiocese of Montreal, responsible for English-language affairs.

Text of Brief presented to the Mackenzie Valley Pipeline Inquiry

by John and Vivian Geeza, Montreal

June 1, 1976

We are here speaking as private citizens and not as members of any group or institution. We came to voice our opinions as people in the South who are consumers of oil and gas. In a way, we see ourselves at the receiving end of the proposed pipeline.

The pipeline question not only affects us as consumers, but it is a decision point that will change the nature of the country we live in. Either Canada thinks forwards, or it takes the coward's way out.

In 1972, Jean-Luc Pepin, then federal Minister of Trade and Commerce, said that Canada would be crazy to "sit on" its reserves of natural gas and oil. "In maybe twenty-five to fifty years we'll be heating ourselves from the rays of the sun, and then we'll kick ourselves in the pants for not capitalizing on what we had when gas and oil were current commodities."

I think everybody would say this is a naive view. But plenty of people are acting under the logic that Canada should be a big seller in the North American fossil fuel market. Considering the impossibility of making plastics out of sunshine, and the importance in our society of petrochemicals as a raw material (not an energy source) and it is absurd to suggest that demand for them will drop off completely. The fact is that these resources will be more and more rare; they should be saved for instances where nothing else can be used. England used to run its industry on wood fuel; today, a hardwood table costs a month's rent. .. and nobody would burn one up!

Fossil fuels take ⁶billions of years to form. By definition, then, they are the energy source of the past, now being marketed wastefully and depleted recklessly because our society seems to be too lazy or too rigid to invest any substantial amount of time or capital into developing new energy sources.

Meanwhile, the temperature in our bank reached 80° (F.) most days last winter. The new buildings around us in Montreal have so many glass walls they require air conditioning as much as heating; several of them don't have light switches that can be turned off. Train services are being cut, forcing commuters to burn up more gas per passenger-mile in their cars--and speaking of cars, these days a medium size model is as heavy as the large size of 10 years ago. Here's our gas bill (exhibit), which informs us clearly that the more we use, the cheaper the rate!

We feel our society has no right to ask the people of the North to accept this pipeline while our "need" for it is based only on waste and greed and laziness.

The fact that all this capital is suddenly available for investment means we are faced with a wonderful opportunity for investment in alternatives. We're not losing sight, you see, of the fact that as consumers, we ultimately pick up the tab. And this is why we have the peculiar idea that we should have a say in how our money is spent.

We would like to see research into ways of storing solar and wind and tidal power more efficiently. We would like to see solar power in particular developed, and this is an area in which no oil company has any interest at all... why should they?

We can't see ignoring future shortages by keeping gas and oil prices so low they encourage wastage--this amounts to giving energy away. Nor can we see poor people being penalized by unpredictable fuel prices. Present alternatives have to involve subsidies for insulation of dwellings, *for other conservation measures -* and reversal of sliding scales that give the price break to the big consumer.

But in the long run, this country has right now the resources to invest some of its mental "energy" in developing future sources of energy--solar or wind power, or sources still unknown to us--that will help sustain future generations all over the world.

Now there's a little problem here. We want our money spent on alternatives, and Canadian Arctic Gas Pipeline and Foothills Pipeline, two private companies, want to spend the largest private capital investment ever made on building an old-fashioned pipeline. This is a genuine conflict of interest. It's not going to go away. So long as the sale of present resources and the development of future resources are in the same hands, there will be no motive to develop future resources efficiently and make them available cheaply. The consumer gets high prices and bad information.

Look at what the present system has in store for the Mackenzie River Valley. Concentrated mining operations, a road, a gas pipeline, an oil pipeline buried in permafrost, with an influx of southern people and capital -- impossible to dependably predict what will happen -- all to develop fuel resources for which alternatives should even now be being found.

The Mackenzie, to us, seems to be a greater resource in another sense. It's a chance to learn how people live with more respect for the land, ^{with} its non-human life, their neighbors and themselves. (Certainly we can't pretend our society has solved all its problems!) This better, greener, wilder kind of standard of living can't be reduced to dollars and cents. Few nations in the world are rich enough or far sighted enough to recognize and preserve this kind of resource.

~~XX~~

We recognize that it's impossible to describe exactly what families in the North will experience as a result of this proposed pipeline, and we don't pretend to know. We hear rumors that decisions are going ahead without waiting for ~~XXXXXXXX~~ anybody. An economist friend of mine was offered a job over a year ago as a supervisor on one of these pipelines; when I asked him if the Berger inquiry didn't have to make its report first, he just laughed. It makes us mad that the people of the North and the South are being treated so high-handedly.

EXHIBIT

FACTURE MENSUELLE DU GAZ NATUREL ORDONNANCE G-83

001 - Tarif de base
\$1.80

002 - Tarif de base
\$1.80

003 - Tarif de base
\$1.80

004 - Tarif de base
\$1.80

005 - Tarif de base
\$1.80

006 - Tarif de base
\$1.80

TARIF 2 - Usage general

1 Ccf - \$3.00 Chacun

19 - @ .30 "

40 - @ .20 "

440 - @ .18 "

Surplus - @ .10 "

FACTURE MINIMALE \$3.00

007 - Tarif de base 001 ou 002 sauf que la consommation est divisée par le nombre de jours et facturée sur un mois.

008 - Tarif de base 001 ou 002 sauf que la consommation est montrée en unités de cent pieds cubes.

009 - Tarif de base 001 ou 002

010 - Tarif de base 001 ou 002

011 - Tarif de base 001 ou 002

012 - Tarif de base 001 ou 002

013 - Tarif de base 001 ou 002

014 - Tarif de base 001 ou 002

015 - Tarif de base 001 ou 002

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079 - Tarif de base 001 ou 002

080 - Tarif de base 001 ou 002

- Geertz Brief

MONTHLY NATURAL GAS RATES GAS BOARD ORDER G-83

RATE 1 - Residential

1 Ccf - \$1.80 Each

9 - @ .26 "

15 - @ .22 "

15 - @ .14 "

Surplus @ .11 "

MINIMUM BILL \$1.80

RATE 2 - General Use

1 Ccf - \$3.00 Each

19 - @ .30 "

40 - @ .20 "

440 - @ .18 "

Surplus @ .10 "

MINIMUM BILL \$3.00

007 or 008 same as rate 001 or 002 except that the total consumption is divided by the number of days and billed on a monthly basis.

Consumption is shown in units of one hundred cubic feet of natural gas (Ccf).

CODE

Relevé approximatif E Estimated reading

Credit - Credit

Non facturé N No billing

Facture finale F Final bill

DOMTAR LIMITED

BRIEF TO THE MACKENZIE VALLEY PIPELINE INQUIRY

DOMTAR LIMITED welcomes the opportunity to appear before Mr. Thomas R. Berger, the Commissioner for the Mackenzie Valley Pipeline Inquiry, to comment briefly on the environmental constraints to be applied to the construction and operation of a pipeline to bring natural gas from the Arctic to southern markets.

DOMTAR LIMITED, a company incorporated under the laws of Canada with over 96% of its common shares having registered ownership in Canada, is engaged in the manufacture of pulp and paper products, chemicals and construction materials at 75 plants in eight provinces of Canada which are sold in both the domestic and export markets. Sales in 1975, despite numerous and lengthy strikes, amounted to \$815 million.

In Canada, DOMTAR provides work for about 17,000 people whose earnings in 1975, including fringe benefits, totalled about \$250 million. The 75 plants purchased \$450 million of raw materials, supplies and energy with over 90% of all purchases being placed with Canadian suppliers. A total of 12 billion cubic feet of natural gas was consumed in 26 plants which used 40% of the company's total fuel consumption.

The Report of the National Energy Board issued in April, 1975 and entitled "Canadian Natural Gas Supply and Requirements" indicates that, without frontier gas, deliveries east of Alberta would probably be insufficient to meet both domestic and export requirements within two years. The report further indicates that, even if exports were to be restricted to volumes in excess of Canadian needs, the gas supply from conventional areas would be adequate only to 1984.

DOMTAR, while accepting that the quality of the environment must be maintained on an overall basis, contends nonetheless that an early solution to our energy problem is imperative.

DOMTAR maintains that the environmental problems, being essentially technical in nature, are solvable.

DOMTAR therefore submits that reasonable environmental standards should be established as soon as possible to permit completion of construction of a pipeline in sufficient time to meet Canada's need for frontier gas and at the most economical price.

My original plan was to attend this hearing with a group of my fellow students. However, I found not one of the opinion that a commission such as this could impress sufficient force upon a beaureauracy one iota of sense. So, I am here to prove them wrong. I am here because I have confidence that you will listen to the little people.

I realize that our Canadian north is rich in oil and natural gas, mineral deposits, and powerful river systems. Of this I am well informed... However, I do not believe that the lives of the Indians, the Inuit, and the métis should be the stakes. After all, no one is making any more land, the producer went out of business a long long time ago.

I as a Canadian citizen have a responsibility, a responsibility to insist that a ten year moritotium be imposed before any further development is permitted. Why? So we may look for some real alternatives, so we may acquire concreat information.

It is not in the power of a mere handful of people to decide the actions to be taken. I can't allow them to destroy these peoples lives, just to keep on using. There is no social justice in such an act. Such an act shows no responsibility. WHY then do we in a democratic society allow this to happen? It must stop.

The decission that is made will affect my life more than yours. It is my generation who will suffer or gain. My hope is that people will come before material goods, for who would need the electricity, the oil, the gas, the minerals if there were no people?

I as an individual can do little, so I'm told, but unless we as a society begin to realize what its like to change an entire way of life, we should not impose this change on anyone. I shall be the last to force such a change. I DEMAND a ten year moratorium, it is only just, and we are living in a just society... WELL SOMETIMES I WONDER

Deborah Hayes, seventeen years of age, a graduating student of 76 at MacDonald Cartier High on the south shore of montreal.

(4060 Beaufort Brossard)

C520
M

SUBMISSION TO THE
BERGER COMMISSION
ON THE

MACKENZIE VALLEY PIPELINE INQUIRY

BY

TERRY FORD

MONTREAL 1976

Final Copy

MACKENZIE VALLEY PIPELINE INQUIRY

To start my submmision I would like to quote from "An Energy Policy for Canada" published in 1973 by the Dept. of Energy, Mines and Resources.

Canadians use more energy per capita than any nation of the world other than the United States. About one quarter of our disposable income is used to purchase and operate equipment to provide heat, light, and transportation. Energy in Canada provides the basic heat and light for living, and also makes possible such frills and extravagances as the electric toothbrush.

The major difficulty in determining Canada's oil and gas potential, the report continues, is that a number of factors are highly uncertain. In the case of coal, hydro, and nuclear energy, there is a good degree of confidence about supply conditions over the long term. In the case of oil and gas, there is considerable uncertainty^{or} about how large the oil and gas resources[^] actually are because most of these resources have not been discovered and are only inferred through knowledge of the geology of potential petroleum basins. Further, there is considerable uncertainty^{or} about how much of the potential will become available at different price levels, and finally, there is uncertainty about the pace at which the petroleum resource can be discovered and developed. This high degree of uncertainty demands that special attention be dir-

ected to these energy sources.

There are four basic questions;

- 1) What is the resource potential?
- 2) How much of this potential might become available at various prices?
- 3) What would be the pace of discoveries and resource development?
- 4) How does the estimated resource availability compare to the standard forecast of oil and gas demand in Canada?

In a Science Council of Canada report, published in 1973, report number 19 "Natural Resource Policy Issues in Canada" it was stated in a section devoted to northern development:

In the development of any region, there must be a close relationship between that development, the regions people and their resources. Perhaps more than in any other region the environmental effects of resource management in Canada's north must be given careful attention. For thousands of years wildlife and fish has supported the indigenous people, and these resources can continue to be the basis for healthy communities which seek to maintain this lifestyle. However, misguided exploitation of minerals, petroleum, and water have already caused damage and threatens to destroy the resource upon which existing communities depend.

During the past two or three years we have become aware that our knowledge of the north is inadequate, inadequate, that is, to formulate an integrated development plan for that vast region of Canada. Crash

Programs to collect badly needed information, often after development decisions have been made, will neither relieve the knowledge deficiency nor provide strong foundations for a sound development policy.

The Science Council recommends that, operations and planning for resource exploitation, transportation corridors and centres of population in the north or the establishment and use of effective mechanisms to provide protection where necessary. Sustained research support for those aspects of northern studies which will provide this understanding should be increased substantially to offset the increasing pressure to capitalize on short term profits by immediate exploitation. ^{emphasized} ^{original} This support should be in the form of funds, personal, transportation facilities and access to both government and industry information.

The Economic Impact Committee of the Task Force on Northern Oil Development on the 6th Oct. 1972 presented to the Trudeau government a "Draft Report on the Evaluation of the Impact of a Northern Canadian Gas Pipeline". This report was done for the Dept. of Indian Affairs and Northern Development, Northern Development branch. With your permission I would like to read a few of the highlights of this report.

pg. 1 "There appears to be little doubt that the large gas reserves associated with the (Alaska) oil will move to the American market via a Mackenzie Valley Pipeline.

pg. 2 Most, if not all, of the natural gas transported by the pipeline will be marketed in the U.S.

- pg. 3 Only at very high levels of unemployed resources will the full gross impact (of pipeline construction) be achieved...At full employment, any increase in net income will be negligible.
- pg. 4 Even if there were massive unemployment the greatest employment impact of the pipeline would be 105,000 persons in each of four years...Any employment of pipeline construction will, therefore, ~~will~~ be temporary only. Unless other projects requiring similar labour skills were developed at the appropriate time, construction of the pipeline could have a destabilizing effect on employment trends in the economy.
- pg. 4 The increased demands for investment funds could push up interest rates in Canada particularly if one of the conditions imposed by government on the pipeline is majority Canadian ownership.
- pg. 4 Construction of the pipeline (will lead to) at least localized inflationary pressure.
- pg. 6 The ability to export for more labour intensive industries could be, therefore, adversely affected by the operations of the pipeline.
- pg. 12 "The federal government will receive \$75 million per year from the extraction and transportation of northern gas. It is interesting to note that over two thirds of the revenue, or \$50 million, will be derived from direct taxation of foreign income earned in Canada rather than from taxation of the extraction and transportation operations

themselves...Revenues (obtained by the state of Alaska) will be far in excess of anything the Canadian government could expect to receive from gas development in the Canadian north, under existing revenue provisions."

pg. 12 "A northern pipeline will not make^e_^ a major long term contribution to the Canadian economy in terms of employment or personal incomes. Furthermore, it will be of specific benefit to the United States."

pg. 13 "The construction and operation of a northern gas pipeline, even if it were to carry a substantial proportion of Canadian gas, would likely prove to be a mixed blessing to Canada."

pg. 13 "The cost of construction activity include some diversion of economic activity from the Atlantic region."

pg. 14 "During the pipeline operations , the maximum benefits to Canada would be additional Canadian incomes of \$366 million a year, of which government revenues would comprise about \$75 million, and ~~about~~ about 150-200 permanent jobs."

APPENDIX

PG. 5 "It is reasonable to believe, that, even without the pipeline, most of this \$366 million would have been generated in a fully employed economy."

pg. 5 "It is worth noting that income tax revenues will probably be negligible or even negative for the first ten years of operation."

In the introduction to section five chapter 1 of "An Energy Policy for Canada" phase 1 vol. 1 it states: "Over 91% of the assets in the oil and gas industries, in Canada, are under foreign control. All of the integrated oil companies in Canada, those active in oil exploration through production to refining and marketing, are foreign controlled...The degree of foreign ownership of the Canadian petroleum industry was virtually unchanged during the 1960's in terms of assets but foreign control of sales and profits increased substantially. A small group of foreign controlled companies now has virtually complete control of petroleum marketing in Canada. This has important implications with regard to market shares and pricing policies.

A high proportion of the capital invested has come from external sources to Canada, mainly from the United States, although supplementary funds coming from the United Kingdom and elsewhere are not insubstantial. There are disadvantages in the relatively low Canadian financial participation in the oil and gas program.

On the 6th Aug. 1975 the Christian Science Monitor published an article on Canadian oil and gas, part of which reads: New finds of natural gas near the very top of the world, among the ice bound Canadian Arctic islands, could help offset dwindling reserves in the U.S. and Canada.

Provided that anticipated gas reserves can be tapped and piped to homes and factories, officials at the Bureau of Energy (presumably the Dept. of Energy, Mines, and Resources) say that 10.8% of total U.S. gas consumption could come from Canada by 1985. today the figure is 4.5%.

"There might be phenomenal opportunity for increased Canadian exports to the U.S. if the gas can only be gotten here by pipeline or ship," says Robert Sands, spokesman for the Federal Energy Administration (FEA) in Washington.

If the U.S. does not achieve natural gas self-sufficiency with stepped-up offshore drilling coupled with new discoveries from Alaska's North Slope it will be even more dependant on Canadian imports, FEA officials say.

Fredric Ebdon, spokesman for Texas Eastern Transmission Corp., which supplies gas throughout Ohio, Pennsylvania, and New York as well as Texas says "We think there is great gas potential for southern Canada and the U.S. in the high Arctic islands."

Frank Arricle, spokesman for the Boston Gas Co. affirms, "The Arctic island gas situation holds great promise for the U.S."

In An Energy Policy for Canada vol. 1 1973 the Geological Survey of Canada in comparison estimates of 1972 and 1973 indicate a considerable reduction in the predicted oil potential from Arctic Canada and the NWT; down from 70.2 to 28.2 billion barrels. To some extent this is offset by an increase in the estimate for eastern Canada from 41.8 to 50.5 billion barrels. Arctic, NWT, and western Canada gas potential estimates have decreased from 652.0 to 455.8 tcf. Again this is offset somewhat by an increase from 254.1 to 327.1 tcf for eastern Canada.

In a National Energy Board (NEB) report published in April off 1975 the board reported; Gas reserves in the Mackenzie-Delta and the Beaufort Sea were very low, the Canadian Petroleum Assoc.

(CPA) reported 4.0 tcf proved and 4.8 tcf probable reserves. 11.1 tcf of threshold reserves would be required to cover the debt payments on the pipeline over 15 years; nearly 16 tcf for a 20 year term.

The conclusions of the 1973 Energy Policy for Canada are; the long term efficient use of all of Canada's resources, and economic success in the maintenance of adequate environmental quality will require;

- 1) An effective program of land use in both undeveloped and developed areas.
- 2) A better understanding of environmental processes and ecological relationships in various parts of Canada.
- 3) A better understanding of demographic and social factors in Canada as they effect demand on energy.
- 4) Development of effective international environmental law.

In July of 1975 Professor Fred Knelman published a background study for the Science Council of Canada under the title "Energy Conservation", background study number 33. His conclusions were as follows;

"We have stated that through both supply and demand analysis Canada should seriously consider the adoption of a national energy conservation and efficiency program. We have indicated that the savings that may be expected are substantial, that they may be achieved without any reduction of our projected economic activity levels, but rather through a decreased energy consumption achieved through enhanced efficiencies.

overall
 The net national savings by 1995 is about 15% of that years ~~in~~ energy consumption (standard forecast). Given a serious program of voluntary and manditory demand management a saving of 30% should be possible by 1995.

When one considers that more than 50% of all the energy supply in Canada is discarded as waste, the above saving becomes even more significant. Furthermore, we have indicated that the major saving in the short and mid term (6.8 and 11.1%) may be achieved through known available measures both technical and social and that the R&D necessary for the long term savings should be easily realizable within that span. We have also argued that the major barriers to successful implimentation of those proposed conservation measures are social rather than technical. This means that the public in general must be consulted, informed, involved, educated, and thus committed to the energy conservation program. The burden and the initiative for the development of such a commitment must be assumed by the Federal Government as a decision to undertake this conservation and efficiency program immidietly.

We have finnally argued that such a conservation program is not in conflict with economic goals or objectives and is neither for nor against 'hitorical' growth. We have gone further and suggested that there are economic benefits both direct and indirect in such a program. Increased efficiencies mean lower production costs, while reduced energy consumption reduces environmental control costs and capital investment, often foreign. Other analysts have gone further and suggested

that employment is negatively correlated with energy intensive production and that conservation and reduced consumption could increase employment, a major problem in this and other economically developed countries. We cannot seriously judge the merits of this argument, but believe that they must be seriously examined. In fact, we have recommended that all of our tacit assumptions concerning energy consumption be critically re-examined in order to develop the best national energy policy that allows adaptations as options and conditions change, in other words a clear, flexible energy policy."

In the Montreal Gazette of the 29th July 1975, in a report from Washington it was reported; design of the proposed Canada-U.S. Arctic natural gas pipeline is inadequate, the U.S. Interior Dept. said Monday.

This study lists 18 faults in the pipeline design. The 18 design concepts which were criticized include, unrealistic schedules, seismic monitoring, temperature and pressure of the gas to be carried in the pipeline.

The Toronto Globe & MAIL goes even further, it reports that the Washington study also criticizes, proposals for seasonal maintenance, described as inadequate studies on the effects of leaking gas. While a major part of the proposed line "does not go beyond the current state of the art of engineering" the study puts into perspective criticisms that have been made of the proposal to bury it in permafrost and chill the throughput. This concept, while maintaining permafrost conditions creates problems such as "frost heave" and interferes with stream flow by developing an "ice bulb" around the line.

Most of the points raised in the study are negative; "In a

case like this they have to be" said an official of the Interior Dept.

Citing the ^{impact}~~effect~~ of noise, the study says it will be highly annoying to people in towns and farms during the construction period. Operating noises from compressor stations will be audible more than a mile away, while periodic venting of high pressure gas would create a severe increase in sound levels.

Vegatation and terrain surfaces will be totally destroyed along the pipeline ditch, at camp and landing sites, towers, permanant roads, and other operations.

Indesciminant withdrawal of water from springs and lakes will have a severely adverse effect on fish and invertibrates, while the release of large volumes of test water into dry stream channels would cause erosion and increased sediment.

Other facets of the impact of the line on the environment are;

-Compressor station turbine exhaust emmissions of about 7,200 gallons of water vapour an hour (at 600^o F) would effect the climate immediatly adjacent to each stationin the Arctic areas of the Yukon and Alaska.

-Wind erosion of distubed soil, and gully erosion following construction, will change the topography and have a secondary effect of moving the soil to other locations.

-Disterbance and mixing of the soil will alter its structional characteristics preventing the complete restoration of sites and causing a permanant loss of soil productivity.

In spite of these warnings from both Canadian governmental advisers and their American counterparts there are people in Washington who would like to see a Mackenzie Valley Pipeline.

This report came from the Montreal Star on the 26th April 1974 .
 Dateline Washington - A high ranking United States, State Dept.
 official gave strong support to-day to a proposal for a Pipe-
 line treaty with Canada.

"Such a treaty might set out the "rules of the game" for
 pipelines carrying natural gas from the Arctic through Canada
 to the U.S. and Canadian markets," said Julius Katz, deputy
 assistant secretary of state for international resources.

As for the liberal government, here in Canada, until recently
 at least, they have backed the proposed pipeline through thick
 and thin in spite of their advisers. In 1973 Prime Minister
 Trudeau in a "Commons" debate on petroleum policy cited "enormous"
 quantities of gas available to be transported from the Far North.
 On the 10th of March 1971 Jean Chretien, then minister of the
 Dept. of Indian Affairs and Northern Development, stated; "We in
 Canada would welcome the building of such a pipeline through our
 country and would do everything that is reasonable to facilitate
 this particularly development." Again in 1972 the then minister
 of the Dept. of Energy, Mines, and Resources, the Hon. Donald
 Macdonald, stated, "You have to take the Mackenzie Valley oil
 and gas pipelines as a given element of energy policy."

Now it would appear that the liberals are vacillating. In
 Hansard of the 30th April 1976 Mr. Doug Neil (Moose Jaw) asked,
 Mr. Speaker, my question is for the minister of Indian Affairs
 and Northern Development. In veiw of the ministers statement
 earlier this week to the effect that it is questionable whether
 the proposed pipeline down the Mackenzie Valley will be proceeded
 with, can the Hon. gentleman advise whether or not this statement
 indecates that the government now favours the proposal of Polar

Gas and Panarctic Oils to build a pipeline from the high Arctic and/or a Y-line concept. The Hon. Judd Buchanan, minister of Indian Affairs and Northern Development answered, Mr. Speaker, the suggestion did not point in that direction. It merely indicated that as long as the extractable resources in the north, in the Delta area, are only in the order of 3 tcf there was some question that the pipeline might not be in Canada's best interests.

Only the large corporations and the liberal government seem to want such a pipeline. Unions, Indian and Inuit Brotherhoods, Churches, Environmental Groups, and a large segment of the general public are against such a project. Neither the corporations involved nor the government seem to think that we "poor slob" can, given the true facts, decide what is best for Canada. I am strongly opposed to this project at the present time. I do not believe in no development but I do believe in rational development, development that benefits the people, not just lines the pockets of large corporations and politicians.

The Indian and Inuit people have presented to you a strong case for settlement of their land claims before any decision is made on a Mackenzie Valley Pipeline. I would like to state my support of their stand. Their land claims must be settled and should have been settled long before this argument came up. I would hate to see a repeat of James Bay were the people of Northern Quebec were forced to negotiate with a loaded gun at their heads because construction of the massive hydro electric project had already started. Traditionally the Native people of this country have been shunted aside, particularly the people of the north, primarily because industry and government felt that

the north had nothing to offer. Now, however, they have found gold "in them thar hills" and the rush is on and to hell with the Indians and Inuit, just give them a few dollars and a pocket handkerchief sized piece of land and they will shut up. We, the people in the south, must not repeat the mistakes of the past. This time we must make sure that those, that are supposed to represent us, treat fairly and honorably with the original people of this land.

There is one more item that I would like to mention. Because of the serious doubts that numerous experts have on oil, gas, and mineral development north of 60° and meaning no disrespect to this commission, and in the light of the various other developments in Canada's north, I feel that the mandate of this commission is not broad enough. Any commission inquiring into the Mackenzie Valley Pipeline must be able to inquire into offshore drilling in the Beaufort Sea as this is an intrinsic part of the proposed pipeline. I also feel that such northern projects as the proposed Polar Gas and the Beaufort-Delta Oil Project Ltd. proposal should be subjected to close and careful scrutiny in the public forum.

INTERVENTION DE JACQUES BOUCHER DU "COMITE ENERGIE-ENVIRONNEMENT" DE LA "SOCIETE POUR VAINCRE LA POLLUTION" AUX AUDIENCES PUBLIQUES CONCERNANT LE PROJET DE PIPE-LINE DANS LA VALLEE DU FLEUVE MACKENZIE, DANS LES TERRITOIRES DU NORD-OUEST.

LE DEVELOPPEMENT DU NORD CANADIEN: A QUEL PRIX?

C'est sous ce titre que la Conférence Catholique Canadienne a choisi l'automne dernier de nous livrer son "Message" pour la "Fête du Travail". On y développait toute une réflexion, on y posait toute une série de questions qui, sans doute, ont également été soulevées (et peut-être même plusieurs fois) à l'occasion des audiences publiques de votre Commission d'enquête. Et pourtant, selon le point de vue et la perspective dans lesquelles a été acheminé notre groupement, il nous faut y revenir à notre façon, puisque notre expérience dans ce domaine a été tout particulièrement exercée par l'ampleur de la ruée vers l'énergie que connaît cette partie-ci du continent.

La Commission Berger et les autres projets énergétiques:

Mais, en premier lieu, je m'en voudrais de ne pas souligner la lueur d'espoir que constitue pour le simple citoyen une enquête comme la vôtre, après que nous ayons été les témoins, pratiquement impuissants, de l'unilatéralisme avec lequel d'autres projets ont été élaborés et exécutés dans notre province et dans notre pays. Il nous a fallu beaucoup de temps avant que la voix de personnes vraiment conscientisées réussisse à nous avertir de l'abhorration que constituait le développement de l'électro-nucléaire avec son cortège de problèmes non résolus (comme la gestion à long terme des déchets radioactifs, la prolifération des armes nucléaires encouragée par les ventes de réacteurs à l'étranger, la sûreté des multiples convois radioactifs, l'horreur que constituerait l'avènement d'une catastrophe d'origine naturelle, humaine ou technique, etc., etc.). Et pourtant, nous avons déjà plusieurs centrales nucléaires qui fonctionnent en Ontario, une deuxième à Gentilly (et même un petit réacteur à l'Université de Montréal) et une autre à Point Lepreau, au Nouveau Brunswick. Comment a-t-on même pu songer à entreprendre pareil développement avant d'avoir discuté avec la population qui risque d'en payer lourdement les frais, l'ensemble des problèmes posés par la demande énergétique, les possibilités de la limiter ou de la rationaliser et les différentes façons d'y pourvoir, avec une claire, complète et honnête exposition des avantages et désavantages, tant économiques, écologiques, sécuritaires, sociaux que politiques de chacune?

Et, je ne veux pas par là jeter la pierre à ceux qui ont conçu, élaboré,

construit ces machines qui aujourd'hui prennent pour nous l'aspect de véritables fléaux. C'est qu'à l'époque, la sensibilité aux problèmes de l'environnement, aux conséquences socio-économico-politiques n'était sans doute pas suffisamment éveillée chez suffisamment de gens. Je me souviens avec beaucoup d'acuité que, moi-même, tout au long des années '60, étudiant de collège et puis d'université, j'étais un chaud partisan du développement technico-urbano-industriel du Québec, un ardent révolutionnaire de la fameuse révolution tranquille québécoise qui tendait par toutes les ressources de la civilisation nord-américaine et occidentale à nous faire agenouiller devant les dieux du "progrès technique", de la "science établie", de l'"industrie", de la "finance", du "commerce" et de l'"urbanisation". Eh bien! depuis les années '70, on commence un peu mieux à réaliser où nous achemine ce culte envers des divinités qui aveuglément mutilent et asservissent ceux qui vivent sous leur empire, sans parler de ceux qui sont tués et emprisonnés dans les colonies et les néo-colonies (nous connaissons tous les problèmes de la faim, de la répression et de la guerre énergétique dans le monde).

C'est sans doute cette ruée vers la "révolution tranquille" qui nous a valu la construction du complexe hydro-électrique de "Manic-Outardes", puis, par mimétisme, celui de "la baie James". Et, il serait inutile ici de venir élaborer trop longtemps sur la façon que les décisions ont été prises, sur le sérieux dont a fait preuve la Cour d'Appel du Québec quand elle a renversé en deux jours seulement l'injonction interlocutoire issue de recherches et d'études ayant été effectuées pendant plus d'un an par le juge Albert Malouf de la Cour Supérieure du Québec, et qui mettait un terme aux travaux de construction du projet jusqu'à ce que des études sérieuses puissent en venir à montrer comment un projet semblable ou modifié pourrait être construit sans causer préjudice aux Autochtones de la région. Et n'oublions pas les pressions et les menaces de se voir couper l'assistance financière dont ont été victimes les Autochtones, ce qui les a conduits, entre autres, à être progressivement acculés à la signature de l'entente avec le gouvernement du Québec. Or, il y a quelques semaines seulement, la Société de Développement de la baie James, la Société d'Energie de la baie James et Environnement-Canada nous organisaient un "Symposium sur l'Environnement à la baie James". On nous y étalait les forts intéressants inventaires de la flore et de la faune, réalisés par leurs spécialistes. Mais, on nous y soulignait également, si nous en faisions la demande, que les réservoirs devant découler de la construction des barrages auraient sans doute un effet sur cette écologie, mais que ce ne serait

sans doute pas si terrible que nous pourrions nous l'imaginer, même s'il n'y a qu'un moyen d'en être sûr, et que c'est d'attendre et de constater "de visu", une fois que les réservoirs se seront formés. A l'heure actuelle, en même temps que se tiennent vos audiences publiques, il se tient également d'autres audiences publiques de l'Office National de l'Energie, au Holiday Inn de Longueuil, juste de l'autre côté du pont Jacques-Cartier, pour étudier la demande d'exportation d'électricité vers les Etats-Unis qu'a présentée l'Hydro-Québec. On nous dira que cette électricité doit servir à satisfaire aux demandes énergétiques de pointe des clients, alors que les fournisseurs auraient des surplus. Soit! Mais, que dire des exportations déguisées, alors que l'Hydro-Québec prodigue des taux préférentiels aux grosses compagnies américaines et aux usines qui consomment le plus d'électricité pour transformer des produits qui nous seront vendus à leur profit, ou qui seront acheminés à l'étranger, encore à leur profit. Et que dire de la publicité pour le tout-électrique, que l'électricité protège l'environnement et que nous sommes hydro-québécois, et le reste? Et, que penser de ce projet de construire une usine d'uranium enrichi, à la baie James ou ailleurs, qui ressort de temps à autres dans les médias; et de ces projets de construction d'autres centrales nucléaires le long du St. Laurent et de la toute récente relance du projet de construire huit autres barrages sur le complexe Nottaway-Broadback-Rupert à la baie James, et encore d'autres barrages sur les rivières coulant vers la baie d'Hudson? Il y a sûrement quelque chose qui "grenouille, gargouille et scribouille" quelque part là-dedans! (on se souviendra que ce sont là des termes employés par le général De Gaulle lors de son fameux discours au balcon de l'Hôtel-de-Ville de Montréal). Une chose est certaine cependant: c'est que les techniciens que nous avons voulu avec la réforme de l'éducation au Québec, eh bien!, maintenant, nous les avons, et nous ne pouvons pas trop leur en vouloir de se trouver de quoi technicaliser comme on leur a appris à le faire.

D'ailleurs, ces problèmes d'agression énergétique ne se limitent pas à l'Est du Canada. Il y a l'énorme complexe hydro-électrique des rivières Nelson, Churchill et du South Indian Lake, au Nord du Manitoba et de la Saskatchewan, il y a les sables bitumineux de l'Athabasca en Alberta, il y a eu le barrage Bennett, en Colombie Britannique. Oui, vraiment, cette Commission d'enquête sur la vallée du Mackenzie, c'est sans contredit quelque chose de nouveau! Ca aurait tout avantage à se répandre un peu plus!

Et pourtant, malgré tout ce qui peut porter à contestation, nous devons souligner que la situation pourrait être encore bien pire qu'elle se pré-

sente, ligne générale, en notre pays. En effet, qui n'a pas eu vent de ce que l'on dit se passer en certains pays où toute contestation du caractère nocif des projets des bureaucrates, technocrates et gouvernants est gratifiée d'internement dans des institutions psychiatriques? Avec votre Commission, Dieu merci et Dieu les en délivre tout en nous en préservant!, nous sommes encore loin de cette honteuse situation, même si certains bureaucrates, technocrates et dirigeants d'entreprises d'ici ont cru bon de tout décider eux-mêmes, selon un procédé que l'on peut malheureusement qualifier de dictatorial. Et encore là, nous en voulions des Ministères pour nous offrir des services publics, il nous en fallait des fonctionnaires et des technocrates et des industriels, pour nous offrir des emplois à la ville, où nous voulions nous rassembler pour avoir plus de services et fuir les aléas de notre nature, qui décide tout elle-même, sans consulter qui que ce soit. Il est bien difficile de blâmer quelqu'un en particulier, ça été un mouvement pas mal général, d'un bout à l'autre du pays et de l'Amérique du Nord.

Le pipeline du Mackenzie et les grands projets d'exportation de nos ressources vers le Sud:

Ca fait déjà quelques décennies que nous avons entrepris de vivre le même niveau de vie que nos voisins du Sud. C'était bien commode d'être si proches et de pouvoir profiter de tellement de commodités à bon marché. Ah! mais voilà!, pour pouvoir continuer ce genre de vie, nos voisins du Sud n'ont plus ce qu'il leur faut. Toutes les possibilités s'épuisent après que leur territoire ait été agressé pendant si longtemps. Il leur a sans doute paru sur le coup que l'issue la plus commode serait de dépasser leurs frontières et de venir puiser chez le bon vieil ami canadien, qui se doit maintenant de faire sa part. Nous avons tellement d'eau, tellement de pétrole, tellement de gaz, tellement de potentiel électrique, tellement de bois, tellement de minerais, tellement d'uranium surtout, tellement de terrains à bon marché, et je dois sûrement en passer. Et il est pénible désormais d'être confrontés avec des cartes de l'Amérique du Nord où l'on voit une pléiade de flèches serpentant du Nord du Canada vers la pointe qui s'approche du Sud des Etats-Unis. Ainsi, ce projet de pipeline le long de la vallée du fleuve Mackenzie, et j'ai pu personnellement feuilleter un document qui parlait de différents projets pour acheminer l'eau du Nord vers les champs de culture du Sud. Ces projets avaient des noms comme N.A.W.A.P.A. (North American Water and Power Alliance)

et N.A.W.A.M.P. (North American Waters Master Plan), où l'on pouvait parler de faire descendre une partie des eaux du fleuve Mackenzie, par une série de canalisations entre le Grand Lac des Esclaves et le lac Athabasca, jusqu'au South Indian Lake, vers le lac Winnipeg, jusqu'aux Grands Lacs, pour enfin la jeter dans le fleuve Missouri, canal d'irrigation du Sud des Etats-Unis. Effarant, n'est-ce pas?

A qui va-t-on tenter de faire croire que la construction d'un pipeline le long de la vallée du fleuve Mackenzie, de quelque façon qu'elle soit faite, qu'elle emprunte n'importe quel tracé, puisse être faite sans causer de terribles bouleversements dans l'écologie de la flore et de la faune, et sans totalement transformer l'équilibre socio-économique des Autochtones? Ne leur a-t-on pas assez fait de mal? C'est bien au Canada que l'on retrouve ces honteuses Réserves, véritables ghettos concentrationnaires, beaucoup trop exigus pour que les populations autochtones puissent y survivre décemment. Ceux-ci n'ont plus qu'à essayer de se trouver un emploi à l'extérieur, dans les villes des Blancs, dans un monde dans lequel leur cœur ne peut battre à l'aise, où le travail est un travail où l'on se vend pour bien peu. N'est-ce pas au Canada qu'on les a poussés à céder des territoires avec lesquels ils vivaient en harmonie depuis des millénaires contre quelques éphémères péculos? Ne parlons pas des petits terrains qu'on leur redonne après les leur avoir arrachés. Je me souviendrai toujours de cette visite que j'ai faite dans la vallée du Mont Currie, en Colombie Britannique, chez un des correspondants du "Comité pour la défense de la baie James". Cet Autochtone, vivant dans la Réserve locale, nous a alors fait faire le tour de la vallée et nous a montrés l'ancienne terre de son père, où, comme il nous l'a expliqué, un Blanc s'était installé depuis quelques années, depuis qu'on avait forcé les Indiens à se regrouper dans la Réserve. C'est bien au Canada, et même au Québec, que l'on force les jeunes Autochtones à s'expatrier chaque année vers des pensionnats d'enseignement dans les villes du Sud, de façon à les couper de leurs origines, de leur mode de vie ancestral, de la connaissance qu'ont leurs parents de tout ce qui concerne la nature, patrie où ils ont toujours su s'adapter.

Il y a également à considérer le fait qu'il ne s'agit pas seulement d'un gazoduc, dans le cas de la vallée du Mackenzie. Une fois le précédent du gazoduc accepté, il y a déjà les projets d'oléoducs, de chemins de fer, de ligne de transmission électrique et quoi encore! Tout cela risque à une telle échelle, d'avoir des effets sur l'ensemble de la planète. Ce sont là

des territoires que l'on peut considérer comme encore pratiquement intouchés. Il n'en reste que très peu tout autour du globe. C'est dans ces endroits que l'air que les habitants de la planète respirent se refait tant bien que mal des affronts qui lui sont faits un peu partout dans le monde. Le développement du Nord canadien: à quel prix? Le Nord canadien n'a pas de prix, le Nord canadien est sacré, les Autochtones le savent bien eux, toute terre, tout territoire est sacré, même ceux qu'occupent les hommes que l'on dit civilisés. Mais, ces derniers n'ont pas l'air de le savoir, ou l'ont peut-être oublié. Ils s'imaginent que tout peut être pillé, saccagé, bouleversé pour leur profit immédiat, en laissant les questions concernant les conséquences aux générations à venir: s'il y a des dégâts à réparer, les enfants le verront bien. Ce sera alors à eux d'y voir.

Des alternatives?:

J'aimerais terminer en allant dans le sens des appels du Premier Ministre du Canada qui exhorte à la conservation, à la réduction des besoins, à une société plus juste, mais aussi en reprenant les termes de M. Pierre Parodi, qui, médecin dans un petit village d'une région défavorisée du Maroc, a écrit, en 1971, un petit fascicule intitulé "Efficacité des moyens pauvres dans l'aide au Tiers-Monde". Dans la préface à la deuxième édition, il nous dit:

"...Face à ces dangers qui d'ici trente ou cinquante ans mettront en péril la vie de centaines de millions d'hommes et la création elle-même, que faisons-nous? Comprendons bien qu'il ne s'agit pas de petits aménagements à faire, de réformes de structures, d'aide accrue aux pays pauvres ou de l'application d'une doctrine sociale qui permettrait simplement d'être plus nombreux à partager une vie de fous. Il s'agit d'un changement complet et radical de vie, de notre vie, d'un retournement, d'une autre civilisation. Abandon de nos privilèges, refus de la puissance et de l'autoritarisme, simplification de la vie, effort vrai et non en amateur vers le travail des mains, reconsidération de nos rapports avec la création, et cela non par charité ou grande vertu, mais par simple justice et nécessité pour survivre.

Ce retournement, nous pouvons nous y efforcer volontairement et dans la joie, à la façon des premiers chrétiens et de Gandhi... nous pourrions y être invités plus énergiquement par quelque Mao, et au prix sans doute de quelle perte de liberté... nous pourrions y être forcés par des catastrophes, mais après quels dégâts et quelles souffrances! A nous de choisir.

Si nous sommes découragés par l'entreprise, groupons-nous avec ceux qui veulent aller dans le même sens. Recherchons aussi le lien avec les hommes du tiers-monde. Nos difficultés sont complémentaires et sont les deux formes d'une même maladie. Ils nous aident à apprécier une vie plus

simple et plus belle et nous pouvons les aider dans leurs travaux. Vivant nous-même depuis cinq ans dans une région pauvre du Maroc, nous pouvons témoigner de la réalité de cette entraide et du bénéfice que chacun en tire."



Fédération des scouts du Québec

Association des scouts du Canada,
conférence du Québec

Le 28 mai 1976

Communication présentée à la Commission Berger,

Nous avons pris connaissance du projet d'établissement d'un gazoduc dans la vallée du MacKenzie; nous avons également pris connaissance de l'existence de votre Commission qui reçoit des réactions de la part du public sur ce projet.

Notre intérêt à vous communiquer notre réaction réside dans le fait qu'un des buts du scoutisme est d'apprendre le respect de la nature à nos jeunes. Une de nos lois scoutes se formule d'ailleurs ainsi: "Le scout protège la vie". Un deuxième intérêt réside dans le fait qu'un autre but du scoutisme est d'apprendre aux jeunes le sens du partage et de la fraternité; deux autres lois scoutes le signifient clairement:

- "Un scout partage avec tous"
- "Un scout est frère de tous"

Si nous avons cité ces objets d'éducation des jeunes au début de notre communication, ce n'est pas seulement pour vous faire des déclarations de principe mais c'est aussi pour vous soumettre un cas d'expérience que nous considérons bien limité mais qui, à notre point de vue, a quand même sa valeur. En effet, nous avons actuellement un projet de fondation du scoutisme à la Baie James. Nous avons pu y constater comment les relations humaines (partage et fraternité) y sont détériorées entre les blancs et les autochtones. Ainsi avons-nous cru que l'installation des scouts aurait pu être profitable aux deux groupes mais cela ne nous apparaît plus possible à cause de la méfiance chronique qui s'est installée entre les deux groupes.

De plus, sans être des spécialistes de l'environnement, il y a lieu de craindre que des projets de si grande envergure réalisés trop rapidement risquent de menacer l'environnement. Si nous avons cette réaction pour le projet de la Baie James, vous comprendrez facilement qu'il y a lieu de craindre que si, le développement du gazoduc de la vallée du Mackenzie se fait dans les mêmes conditions qu'à la Baie James, les mêmes problèmes de relations humaines apparaîtront et les mêmes risques de détérioration de l'environnement seront encourus.

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Enfin, permettez-nous de vous signaler notre intérêt actuel à participer à la protection de l'environnement dans les centres urbains et à vous spécifier les difficultés énormes que nous rencontrons pour parvenir à améliorer la moindre des situations détériorées. Ne serait-il pas possible de mieux prévenir pour que nous n'ayons pas dans les années futures à mettre sur pied des comités de restauration de l'environnement et de restauration des relations entre les groupes ethniques. Il est si difficile de reconstituer ce qui a été détruit qu'il nous paraît énormément plus souhaitable de prévenir toute détérioration.

Ainsi, nous nous joignons à tout autre groupe pour vous demander l'obtention d'un moratoire de dix ans sur ce projet de construction d'un gazoduc de la vallée du MacKenzie afin que le développement qu'il sera possible d'y faire se fasse de façon harmonieuse, c'est-à-dire que la nature et les gens soient respectés.

Nous vous remercions pour l'attention que vous avez portée à notre communication.

Les Scouts du Québec,

Jean-Noël Toulouse
Jean-Noël Toulouse
Président

Raoul Lincourt
Raoul Lincourt
Commissaire provincial

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THE CANADIAN CHAMBER OF COMMERCE



SUBMISSION
to the
MACKENZIE VALLEY PIPELINE INQUIRY

June, 1976

SUBMISSION

TO THE
MACKENZIE VALLEY PIPELINE INQUIRY

BY THE

CANADIAN CHAMBER OF COMMERCE

JUNE, 1976

SUBMISSION

TO THE

WATERBURY VALLEY COPIES FACTORY

BY THE

CANADIAN CHAMBER OF COMMERCE

JUNE 1976

The Canadian Chamber of Commerce welcomes this opportunity to appear before the Mackenzie Valley Pipeline Inquiry to express the views of its membership regarding a proposed pipeline to carry northern natural gas to the southern markets.

The Canadian Chamber is the voluntary federation of some 650 community Chambers of Commerce and Boards of Trade. These organizations are located in every province and territory in the country, including the Northwest Territories and the Yukon. The vast majority of these community Chambers and Boards are in communities of less than 5,000 in population drawing their membership from people in every walk of life.

The comments included in this submission concerning the proposed Mackenzie Valley pipeline are based upon the Statement of Policy of the Canadian Chamber of Commerce which was approved at our September 1975 Annual Meeting by member Chambers of Commerce and Boards of Trade, each of which has only one vote, regardless of its numerical membership or location.

At our last Annual Meeting, the assembled membership discussed the issue of such a pipeline and came out in favour of its early construction and completion.

Because of the nature of its membership, the National Chamber approaches all problems from the point of view of the best interest of Canada as a whole and of all its people. It is fair to say that, although Canada is a vast and disparate country, the various regions are quite interdependent. Therefore, matters affecting one region will have an effect upon the country as a whole. Such is the case with regard to the proposed pipeline.

Similarly, matters affecting the economy of the country will be felt in all regions, including the North. As a result, it is not possible to consider the impact of a project such as the Mackenzie Valley pipeline in relation only to the North. The completion or abandonment of the project will have an impact upon the country as a whole, including the North.

NATIONAL ENERGY REQUIREMENTS

As many other groups have no doubt pointed out, Canada's future energy supply from conventional sources is not bright. Canada is already a net importer of oil and, based upon National Energy Board projections, by the end of this decade, we will be facing a natural gas shortage.

This situation creates two very pressing problems. First of all, even with the development of the tar sands and stringent conservation measures, we will be a net importer of oil to the extent of \$2.8 billion by 1980 and \$4.7 billion by 1985. In the period 1976 to 1985, the cost of net oil imports will be \$20 billion more than the revenues Canada will receive from authorized export sales of natural gas.

Secondly, security of supply would be seriously lacking if Canada were to become increasingly dependent upon foreign sources. Actions over which this country would have no control might lead to a curtailment of supply with serious effects upon our economy. Similarly, a second round of major price increases by the oil exporting countries could, under such circumstances, result in more serious economic problems than those experienced during the past few years.

These problems would not be confined to the southern regions of Canada. The economic, social and political development of the North would certainly suffer from events which had a detrimental effect upon the country as a whole.

Obviously, the only solution is to develop new sources of energy. In the medium term -- the next ten years -- one of the most important proven sources which can make a major contribution to Canada's energy needs is the natural gas reserves located in the Mackenzie Delta. The most feasible method of transporting that gas to the major demand areas of the country is by way of a pipeline. Canada needs those supplies of natural gas and it needs them quickly. Should the northern gas not reach the southern market by the early 1980's, Canada could suffer economic hardship.

SOCIO-ECONOMIC IMPACT ON THE NORTH

There is no doubt that the socio-economic impact of the pipeline development upon the North and its residents would be significant. In most cases, the impact could and would be positive.

Few northern residents have not advocated economic development of the area. The native people are seeking, and the federal government has promised to offer to them, a share of the benefits from resource development in the region. The pipeline is a key to the development of the resources of the North. Not only will the construction phase create a great deal of direct economic activity, but the spin-off effects of construction will bring further employment and business activity to the region. As importantly, the decision to build a pipeline would no doubt lead to increased exploration activity for natural gas. Further, operation and maintenance of the pipeline as well as of the gas wells will provide long-term employment.

Many of these job opportunities could and should go to the residents of the area. Both pipeline applicants have apparently expressed this view and have agreed to provide a substantial number of employment opportunities to northern residents along with necessary training programs to better equip potential employees from the region to take maximum advantage of the opportunities which will exist. The opportunities will relate not only to the construction phase but also to the operation and maintenance of the system.

The major social impact of the pipeline and related activities will be to provide Northerners with the opportunity to participate in a wage economy if they should so desire. That opportunity has not existed in large measure up to this time. It should be pointed out, however, that there must still be an opportunity for those who wish to retain a more traditional manner of livelihood to do so. The pipeline will affect only a very small geographic segment of the North and, particularly after construction, its impact upon those who choose the traditional life style should be negligible.

Lastly, some residents of the area may choose to mix participation in a wage economy for part of the year with a traditional life style for the remainder. Those wishing to choose this option should have the opportunity to do so.

Some may feel that any change in the life style of northern residents will have a negative impact. Obviously, only each individual resident of the area can provide the answer to that question as it relates to him- or her-self. In any event, abandonment of the project would not halt social change in the region. Change is happening now and will continue to happen. The adjustment to change will have to be made in a manner which is most beneficial to the people of the area. The greatest contribution which can be made to the process of social adjustment would be the planned, co-ordinated construction of the pipeline in a manner which will serve the interests of the country as a whole as well as the residents of the North.

ENVIRONMENTAL IMPACT

The members of the Chamber recognize that this project is one which does not have many precedents. Furthermore, the area through which it will be built is unique and poses new and different environmental problems. We are pleased that the companies concerned and the federal government have paid so much attention to the environmental issues surrounding this project.

Two questions should be addressed in relation to this issue. First, have all the major environmental problems been identified and resolved at this time? Secondly, can the impact of the remaining environmental problems be reduced to a practical minimum during the construction phase? If, as we suspect, the major problems have been identified and resolved, and that a further delay will not significantly contribute to the resolution of the remaining problems, then construction should begin as soon as possible.

NATIVE LAND CLAIMS

The Chamber has supported, and continues to support, an early settlement to native land claims. We therefore hope that a fair and reasonable settlement

with regard to the native land claims in the Mackenzie Valley will be forthcoming soon. In the event that these claims are not settled before construction begins, measures ought to be taken to ensure that, in their negotiations, the native people will not be at any disadvantage owing to the building of the pipeline; nor should the extent of the native interest recognized in the final settlement be diminished by the construction of the pipeline.

SUMMARY AND CONCLUSION

The terms of reference of this Inquiry are such that one can expect certain conditions to be attached to the granting of the right of way in order to protect the environment of the North and to serve the interests of northern residents. We share these concerns and thus do not object to any terms and conditions which are reasonable and constructive. We would, however, caution against terms and conditions which might undermine the long-term economic viability of the pipeline, delay the starting date of construction, or stretch out the construction period beyond that projected by the applicants.

We would also like to point out that, at this time, Canada has not yet reached a crisis point in its energy situation. As a result, we can now plan properly to build the pipeline giving due consideration to the environmental concerns and the impact upon the people of the North. Should the start of construction be delayed, Canada will, at some time in the future, be faced with a serious energy problem. This could lead to a decision to build the pipeline under emergency conditions without due regard for the environmental or social impact upon the North. This is a situation which, this Inquiry, the government, the Chamber and all Canadians wish to avoid.

To summarize, the Canadian Chamber of Commerce is of the opinion that the development of the natural gas resources of the Mackenzie Delta is essential to the well-being of the country as a whole and that a pipeline is the most economic method of moving these supplies to the southern market. We urge that construction be authorized so that the product is available by the early 1980's.

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On behalf of the Cree people in the James Bay territory and the Grand Council of the Crees (of Quebec), I wish to extend my appreciation for the permission to speak before this Inquiry.

The question of land development came into being long before the James Bay Hydro Electric Project. However, because the James Bay Hydro Electric Project was such a massive undertaking by the Province of Quebec and its Crown Corporations, the issue of native land claims became more apparent during the public opposition to this project. The 6,260 Crees were very much opposed to this project because the development had not taken into consideration the livelihood of the people, the development had not taken into consideration the land of the Cree people and the development had not taken into consideration the rights of the Cree people.

Other Indian leaders and other native spokesmen in Canada have stressed that there should be identification of aboriginal rights. To the Cree people, this was not necessary because the Cree Indians of James Bay and the Mistassini area knew their aboriginal rights. It was the Governments and the Corporations that undertook this project that did not know these aboriginal rights. The education of aboriginal rights to our non-native people in Canada can only be done by formal talks in good faith. The Cree people reached this objective and that is why we have an Agreement today and not tomorrow.

The Agreement came into being by straightforward talks and by all the parties making known their intentions. Leadership

among our people developed, where our leaders realized the political realities and negotiations developed where our negotiators learned to compromise and meet and come to a negotiated settlement. Above all, all our people were consulted, there were countless number of band meetings in our territory and many more committee meetings.

It was a decision taken unanimously by our people. A moment of great decision had to come and it was wise of our people to make this decision to accept the James Bay Agreement. You must also realize that the Cree people of James Bay could have decided against the James Bay Agreement. If that would have happened, then where would we be today. We would be in the Courts or perhaps we would be faced with a legislative agreement. The issue for the Cree people was stated as early as 1967 during the revision and consultation talks about the Indian Act. The issues were land, recognition to rights to fishing, hunting and trapping, on control and participation of development in Indian territory. Because the Cree people reached an Agreement with the Governments of Canada and Quebec, there will be changes to their society, but you also must recognize that the Cree people have enforced their position in the non-native society. The changes will be made by the Crees because they are an adaptable and adjustable people. The Crees only adapt and adjust for the better. The James Bay Agreement gives the Crees the opportunity. The Cree people have opened a new era of better relationships between the Crees and the non-natives in the Province of Quebec.

The Crees opened the door for other Indians in Quebec and Canada, it is the decision of other Indians to go into that door. The James Bay Agreement does not necessarily have to become the precedent settlement.

We sincerely believe that the Crees have enforced and developed their culture and now being an Indian has more meaning to the Cree people. The Cree people have enforced their identity as Indian people. You could argue that the Indian Act gives us Indians special status but I further argue that the James Bay Agreement gives the Cree people of James Bay much more special status than the Indian Act. I further state that the James Bay Crees have put themselves into an autonomous and independent position, not only to face the Governments of Canada and Quebec, but also to face the society which they will have to participate in, not as spectators but participates and decision makers of their future. This Agreement deals with all areas in the future of our people. That future was decided by the Cree people themselves.

I argue that the Governments of Canada and Quebec did not put the Crees to the wall to sign an Agreement nor did they put the Crees in such a position where they will have to accept an Agreement of this type. My people chose to face the issue of development in our territory. My people accepted the reality of development. We accepted and put our trust into the proposals submitted by the governments and the Crees during negotiations. And it was this trust that we were able to obtain an Agreement.

was negotiated by leaders selected by the Cree Bands and the decision to accept the Agreement was taken by Cree people most directly affected by the James Bay Project.

The people to benefit as a result of the Agreement is the trapper, the hunter and the fisherman. The people who make their livelihood from the forests and rivers and lakes will benefit from this Agreement. Yes, the Cree people will benefit from the Agreement not the lawyers as argued but other Indians In Canada.

The whole objective of the Agreement is to save a culture and a society. This was accomplished in the James Bay area. Furthermore, it gives a choice for our people in which society they wish to participate in. If our people wish to participate in the traditional society, they can do so and they can benefit from this Agreement. If our people wish to participate in the modern industrial society, if it is their wish, they can choose that path. This is made available in the Agreement. Furthermore, if our people wish to take part in both societies, it is also made available in the Agreement.

The Crees, for the first time, will have their rights recognized and there will be powers in which the Crees can take

to see that their rights are respected. May I add that the Crees will become the first native group to have rights in Quebec. Many of our people, not only in Quebec, but across Canada, accuse us of giving away our Indian rights, of giving away our aboriginal rights. The Agreement recognizes aboriginal rights. The Agreement puts the Cree people in a position where they will become masters of their own destiny, where they will become independent, a lot more independent than any other native group in Canada. The Crees realized and knew their aboriginal rights but we, as Indian people, can say for so long that "we have rights". For the past hundred (100) years, since Confederation, we have said that "we have rights". Are we and did you expect my people, the Cree people of James Bay, to continue saying that? They were frustrated, hostile, impatient but when the opportunity arose, they grabbed it and they will not let go and they intend to not let go. They know now how much their rights mean to them and that is why we signed the Agreement. Everyone says the Agreement has been signed, the first comprehensive land settlement agreement in Canada and Quebec has been signed, the Indians have sold their land, the Crees have sold their land, the Crees have given up their aboriginal rights. Believe me, the Agreement is not an end to other negotiations in James Bay.

The James Bay Agreement calls for the continued dialogue between the Cree Indians of Quebec and the Governments of Canada and Québec. There are sections in the Agreement which call for continued negotiations, there are sections in the Agreement which

state that a particular section can be changed if the parties that have signed the Agreement consent.

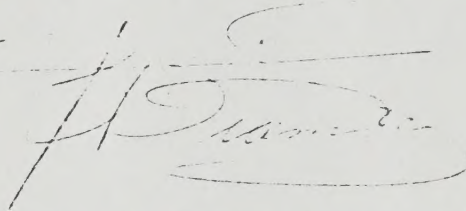
The issue in James Bay about Cree Indian rights and land development is not quite settled yet. However, the most important decision has been taken by the Cree people themselves. It is quite obvious that if there had been no unity among my people, this could have never been accomplished. There was unity in James Bay, that is why the James Bay Agreement is a reality today.

We signed the Agreement seven (7) months ago but yet during our continued negotiations and our implementation program we continue to encounter difficulties with the Governments of Canada and Quebec. We wanted our rights and the Agreement to be put into law, we wanted the James Bay Agreement to be legislated. When that happens, then you can say, that there has been a James Bay settlement. That is not yet the case. We, during our negotiations with the Governments of Canada and Quebec, built a trust by negotiating in good faith. That trust must not be misused. The Crees will certainly not misuse that trust.

However, if we do not have legislation to the James Bay Agreement, then that trust has been misused and then the Crees can claim that the Agreement is breached. The Crees can charge that there has been violation in the Agreement.

Mr. Justice Berger, I wish to thank you on behalf of the 6,260 Crees and the Grand Council of the Crees (of Quebec)

for giving us this permission to present our views and also I wish to extend my appreciation to my fellow Chiefs and leaders and negotiators for the spirit, faith and determination that they have sought for a just settlement in James Bay.

A handwritten signature in dark ink, appearing to read 'Billy Diamond', with a large, sweeping flourish extending from the end of the name.

Chief Billy Diamond,
Grand Chief.

BD/td

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CHIEF BILLY DIAMOND

GRAND CHIEF

GRAND COUNCIL OF THE CREES

PRESS STATEMENT

A TIME OF GREAT DECISION HAS COME FOR THE CREE PEOPLE

The Grand Council of the Crees just finished a tour of all the 8 Cree communities of Great Whale, Fort George, Paint Hills, Eastmain, Rupert House, Nemaska, Waswanipi, Mistassini. At all these meetings there has been intensive consultation with our people and at all those meetings all our people spoke up, and in particular, many things were questioned. Many of the trappers were flown by helicopters from their traplines into their respective villages to attend these meetings.

The Cree People first opposed the James Bay Hydroelectric Project when it was announced. They felt that the land was theirs.

THEIR FIRST AND MAIN OBJECTIVE WAS TO STOP THE JAMES BAY PROJECT. On October 28, 1972, they decided to stop the James Bay Project by taking a court action.

The Cree People and the Inuit People were granted an interlocutory injunction on November 15, 1973 by the Judgement of Mr. Justice Malouf. On that day there was much joy and celebration among our people, however the

James Bay Development Corporation, Hydro-Quebec and the James Bay Energy Corporation received a suspension to that interlocutory injunction a week later.

The Cree People received an 11-point proposal on November 29, 1973 from the Premier of Quebec, Mr. Robert Bourassa. That same proposal was rejected by all eight Cree communities in January 1974.

Since that date intensive negotiations have been going on. The Grand Council of the Crees was formed on August 8 1974 and incorporated on August 16 1974. The Grand Council involves all the Cree communities and the Board consists of the 8 Chiefs plus one Director elected by each population of the said villages. The main objective of the formation of the Grand Council was to facilitate proper and intensive negotiations with the Quebec Government.

We have been negotiating now for many months, in particular the last few months, with Mr. John Ciaccia, Special Representative of the Premier of Quebec, Mr. Robert Bourassa, and now after many negotiating meetings, the Cree and Inuit have reached an agreement in principle with the Quebec Government, Hydro Quebec, James Bay Energy Corporation and James Bay Development Corporation.

CHANGES TO THE PROJECT

The Cree People all understand that the Province must be allowed to build the hydroelectric project in the James Bay area but only after the Province agreed to make the following changes.

- a) LG-1 is to be built at Mile 54 instead of Mile 23 on the Fort George River.
- b) The Eastmain River will not be totally cut off.
- c) The Government obliges itself to try to flood less of the Eastmain and Paint Hills traplines.
- d) The Eastmain Band will have 50 sq. miles of additional land set apart for it because of the adverse effect of the Eastmain River diversion.
- e) Most of the trees will be cut in the places where LG-1 and the Eastmain reservoirs will be, and in certain other places for certain reservoirs.
- f) The Province will take the measures necessary to save as many of the animals as possible from flooding and will help in the re-organization of the traplines affected by the flooding and must keep the harm to the Indians and the animals, the fish and the birds, resulting from the project, to a minimum.
- g) The benefits offered to the Indians, in Premier Bourassa's first proposal will also apply where they are favourable.

LAND

- a) 2,000 sq. miles will be set apart as reserves for the Cree People.

- b) 25,000 sq. miles will be set apart for the exclusive use of the Cree People for hunting, fishing and trapping.
- c) In the remainder of the trapping territory of the Cree People understand the resources must be shared and development allowed to proceed. Our people understand that they must also allow some non-native hunting and fishing in this area.
- d) The Cree People will be given some wood rights outside the exclusive use area.

HUNTING, FISHING AND TRAPPING

- a) Exclusive trapping rights over about all of the Cree trapping territories and the exclusive right to all fur-bearing animals.
- b) Hunting and fishing rights everywhere at all times and exclusive rights in large parts of the territory.
- c) Non-Indians will be restricted in hunting and fishing in certain seasons.
- d) Government undertakes to work with the Cree People in future management and regulation of the hunting, fishing and trapping.
- e) Exclusive right to outfitting in reserves and exclusive use areas and first right to establish outfitting camps elsewhere for twenty years.

FUTURE DEVELOPMENT

The Crees must be consulted first and effects on the Crees must be studied prior to development.

ENVIRONMENTAL PROTECTION

The Crees will work with James Bay Energy Corporation in reducing the bad effects of the project on the Cree People.

COMPENSATION

\$150 million to the Crees and Inuits.

- a) \$75 million dollars in cash over the first ten years after settlement.
- b) \$75 million dollars in royalties from Hydroelectric projects over a longer period of time.
- c) Plus a share of what the Province gets from other future development.
- d) Plus tax exemption on the \$150 million.
- e) Plus a program to provide an annual minimum income to our people who hunt, fish and trap as a way of life.

NATIVE DEVELOPMENT AND ECONOMIC MEASURES

Crees will be given financial help to develop trapping industry and assistance for economic development programs.

LOCAL AND REGIONAL GOVERNMENT

- a) Crees will govern reserves and have some powers in exclusive use areas.
- b) Negotiations are to take place to establish Cree Schoolboards, Cree Police and Cree Health Groups.

FEDERAL PROGRAMS

All Federal Programs will continue to benefit the Cree People of the James Bay area.

BURIAL SITES

The burial sites affected by the project will be marked, and if possible moved prior to flooding.

NEGOTIATIONS

Negotiations will take place with other Indians of Quebec but Cree and Inuit negotiations will take priority.

BENEFICIARIES

- a) All status Cree will get the benefits from this agreement.
- b) Non-status Cree will have some benefits and will get additional land and additional money and also hunting and fishing rights.

FINAL SETTLEMENT

Negotiations will continue following the signing of the Agreement in Principle and the final agreement must be signed by November 1st, 1975.

COST OF NEGOTIATIONS

Some of the costs of negotiations will be paid by the Provincial Government.

COURT PROCEEDINGS

The Court Proceedings will be suspended once they are in the Supreme Court of Canada. They will continue if a final agreement is not signed.

LEGISLATION

The final agreement will be made law by both the Federal and Provincial legislatures.

The Cree People were very reluctant to sign an Agreement in Principle. However, after many meetings and many hours of meetings, the Grand Council of the Crees has received a mandate to sign an Agreement in Principle with the Quebec Government. Our mandate is also to see that the Quebec Government lives up to its obligations and we have a mandate to suspend court proceedings. We also have a mandate to carry out future negotiations with the Quebec Government.

We feel, as Cree People, that by coming to an Agreement in Principle, that it is the best way to see that our rights and that our land is protected as much as possible from white man intrusion and white man's use. We have always said that we wanted to maintain our way of life. We have always said that we want to pass the land on to our children. Now we believe that this Agreement in Principle will maintain our way of life and that we can also pass the land on to our children, just as it has been done in the past. It guarantees the future of our children. It also guarantees that we can continue to live in harmony with nature. We believe that even though we practised the traditional way of life, the aboriginal way of life, we believe this agreement supports and strengthens the hunting, fishing and trapping rights in over all of the territory, and restricts non-native activity in that area.

By the proposed agreement, we feel we have removed the worst effects of the Project to our way of life and the Cree People. The Treaties in the past that were signed have always been to settle land claims and land uses and land rights once and for all. However, we believe that the Cree People have not settled their land claims once and for all; but however

other negotiations will continue after the agreement in principle.

We realize that perhaps we will disappoint many of the public by signing an Agreement in Principle with the Quebec Government. We realize that many of the friends that we have made during our opposition to the project will label us as "sell-outs".

However, we have come to a decision together, and we intend to carry-out that decision, and also we consider it a victory, A BIG VICTORY FOR US, because there are only 6,000 Crees and there are 6 million Quebecers here in this Province. It is also a big victory because there are not very many people that can persuade the best engineers in the world to change the location of a major dam and to change their plans such that our way of life will be less harmed.

I hope you can all understand our feelings, that it has been a tough fight, and our people are still very much opposed to the project, but they realize that they must share the resources. That is why we have come to a decision to sign an Agreement in Principle with the Quebec Government.

Thank you.

BD/rc

Nov. 15/74.

Chief Billy Diamond

Grand Chief

Grand Council of the Crees (of Quebec)

POSITION PAPER
DÉCLARATION DE PRINCIPE

OF
DE

LAURENTIAN ALLIANCE OF METIS AND NON-STATUS INDIANS INC.
ALLIANCE LAURENTIENNE DES MÉTIS ET INDIENS SANS STATUT INC.

FOR
POUR

BERGER HEARINGS IN MONTREAL
LA COMMISSION BERGER DE MONTRÉAL

MAINTENANT VENEZ DE VOUS ENQUERIR
C-26 June 1/76
Montreal P.Q.
R. Boudrias

JUNE 1, 1976

1 JUIN 1976

N O T E

ABORIGINAL PEOPLE ARE THOSE PEOPLE WHOSE ANCESTORS HAVE USED AND OCCUPIED THIS COUNTRY NOW CALLED CANADA SINCE TIME IMMEMORIAL. THE FEDERAL GOVERNMENT HAS CONSTITUTIONAL RESPONSABILITY FOR STATUS INDIANS, NON-STATUS INDIANS AND METIS PEOPLE WHO ARE ABORIGINAL PEOPLE OF THIS LAND.

N O T E

LE PEUPLE ABORIGÈNE EST CELUI DONT LES ANCÊTRES ONT UTILISÉS ET OCCUPÉS LE PAYS, APPELÉ AUJOURD'HUI CANADA, DEPUIS DES TEMPS IMMÉMORIAUX. LE GOUVERNEMENT FÉDÉRAL A UNE RESPONSABILITÉ D'ORDRE CONSTITUTIONNEL POUR LES INDIENS STATUÉS, LES INDIENS NON-STATUÉS ET LE PEUPLE MÉTIS QUI CONSTITUENT LE PEUPLE ABORIGÈNE DE CE PAYS.

ON BEHALF OF THE LAURENTIAN ALLIANCE OF METIS AND NON-STATUS INDIANS, WE WELCOME THE BERGER HEARINGS AS AN IMPORTANT AND VITAL MECHANISM OF WHAT IS KNOWN AS PARTICIPATORY DEMOCRACY. YOUR INQUIRY IS IMPORTANT BECAUSE THE CANADIAN POPULATION, BOTH NORTH AND SOUTH, WILL HAVE A CHANCE TO BECOME AWARE OF THE SOCIAL, ENVIRONMENTAL, POLITICAL AND ECONOMIC CONSEQUENCES OF A MASSIVE UNDERTAKING SUCH AS THE MACKENZIE VALLEY PIPELINE PRIOR TO ITS ACTUAL CONSTRUCTION. IT IS VITAL TO ALL CANADIANS BECAUSE THE IMPACT OF THE MACKENZIE VALLEY PIPELINE CONSTRUCTION INVOLVES MAJOR QUESTIONS SUCH AS FUTURE DEPLETION OF NON-RENEWABLE RESOURCES, NATIONAL ENERGY POLICY (THE NEED FOR ONE, ALTERNATIVES IN THE USING RENEWABLE ENERGY SOURCES SUCH AS THE WIND AND THE SUN, THE ENVIRONMENTAL PROTECTION OF THE LAST FRONTIER OF CANADA AND THE NEED TO SETTLE WITH THE LONG OUTSTANDING LAND CLAIMS OF THE ABORIGINAL PEOPLE IN THE NORTH. THE TRUDEAU GOVERNMENT HAS A GOLDEN OPPORTUNITY TO PRACTICE "PARTICIPATORY DEMOCRACY" WITH THE BERGER INQUIRY INTO THE MACKENZIE VALLEY PIPELINE BECAUSE THE PEOPLE FROM THE COMMUNITY LEVELS IN N.W.T. AND THE PEOPLE FROM ALL WALKS OF LIFE IN THE SOUTH HAVE BEEN ENTHUSIASTICALLY PARTICIPATING IN THIS IMPORTANT INQUIRY. IT WILL BE A SERIOUS MISTAKE IF THE CONSTRUCTION OF THE MACKENZIE VALLEY PIPELINE GETS UNDERWAY WITHOUT CONSIDERING WHAT THE PEOPLE ARE SAYING IN THIS INQUIRY.

THE OIL AND GAZ COMPANIES, THROUGH EXPENSIVE ADVERTISING AND PUBLIC RELATIONS HAVE BEEN PUMPING INTO THE PUBLIC THAT OIL AND GAZ EXPLO-RATIONS ARE ABSOLUTELY NECESSARY BECAUSE OF "THE ENERGY CRISIS". THEREFORE, THE "BLACK GOLD" RUSH IS ON. GREED FOR THE "FAST BUCK" AND "PANIC" HAS TAKEN THE PLACE OF WISDOM IN PLANS FOR ECONOMIC DEVELOPMENT OF CANADA'S LAST FRONTIER. HOWEVER, NOW THE PEOPLE IN THE NORTH HAVE AN ALTERNATIVE TO WHAT

COULD BECOME A DISASTER. WHAT THE PEOPLE IN THE NORTH ARE ASKING IS THE PROMOTION OF THE CONCEPT OF "COMMUNITY DEVELOPMENT". THIS ALTERNATIVE IS FAR FROM ANTI-DEVELOPMENT. THIS ALTERNATIVE WILL CAREFULLY CHART OUT ECONOMIC DEVELOPMENT BASED ON THE NEEDS AND ASPIRATIONS OF THE PEOPLE OF THE NORTH BASED ON THEIR OWN POLITICAL INSTITUTIONS. AFTER A JUST LAND CLAIMS SETTLEMENT, THE ABORIGINAL PEOPLE, WHO CONSTITUTE THE MAJORITY IN THE NORTH WILL BE ABLE TO BRING ABOUT LAND AND RESOURCE SHARING WHICH WILL BENEFIT BOTH NORTH AND SOUTH.

WE FULLY SUPPORT THE PEOPLE OF NUNAVUT AND THE DENE NATIONS' POSITION THAT THERE BE NO FURTHER MAJOR ECONOMIC UNDERTAKINGS SUCH AS THE BUILDING OF THE MACKENZIE VALLEY PIPELINE UNTIL THERE IS A JUST LAND CLAIM SETTLEMENT BASED ON THEIR ABORIGINAL RIGHTS. IF THE MACKENZIE VALLEY PIPELINE IS BEING BUILT DURING NEGOTIATIONS FOR A SETTLEMENT, IT WILL BE JUST LIKE NEGOTIATING WITH A CANON AT THEIR HEADS. HOW CAN YOU NEGOTIATE A SETTLEMENT OF SOMETHING THAT IS BEING DESTROYED BEFORE YOUR VERY EYES? WHAT IS AT STAKE, AS YOU KNOW, MR. BERGER, IS THEIR LAND, THEIR CULTURE, AND THEIR SURVIVAL.

WE HOPE THAT, THROUGH THE BERGER HEARINGS, MR. JUDD BUCHANNAN, MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT, WILL REALIZE THAT "THE DENE DECLARATION" IS NOT A DECLARATION OF "SEPARATISM". ON THE CONTRARY, THE DENE HAVE EXPRESSED VERY ELOQUENTLY AND YET SIMPLY THAT THE DENE NATION ONLY WANTS AN EQUAL PARTNERSHIP IN CONFEDERATION. THE DENE NATION AND THE PEOPLE OF NUNAVUT HAVE CLEARLY EXPRESSED THAT THEY ARE NOT AGAINST "NORTHERN DEVELOPMENT". THE ABORIGINES OF THE NORTH, WHO ARE IN THE MAJORITY, HAVE STATED VERY EXPLICITLY THEIR WILLINGNESS TO SHARE THEIR LAND AND RESOURCES. THE

NATIVE PEOPLE IN THE NORTH HAVE PROVEN THAT THEY ARE REASONABLE, CAPABLE AND RESPONSIBLE ENOUGH TO ACCOMPLISH "SELF-SUFFICIENCY", "SELF-DETERMINATION" AND NORTHERN DEVELOPMENT. THEREFORE, THE HONORABLE JUDD BUCHANNAN SHOULD BE RESPONSIBLE, REASONABLE AND CAPABLE OF SUPPORTING AND DEFENDING THE REALISTIC PRINCIPLES OF THE DENE DECLARATION. IF MR. BUCHANNAN IS NOT READY TO DO THIS, THEN HE IS NOT FULFILLING HIS RESPONSIBILITIES AND SHOULD, OF COURSE, RESIGN.

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NOUS SUPPORTONS AUSSI PLEINEMENT LA NATION DENE ET LE PEUPLE DE NUNAVUT, AFIN QUE L'ENTENTE FINALE DE LA BAIE JAMES NE SERVE PAS DE PRÉCÉDENT DANS LES NÉGOCIATIONS EN COURS. LE PEUPLE ABORIGÈNE DES TERRITOIRES DU NORD-OUEST DEMANDE LA RECONNAISSANCE ET LA PRÉSERVATION DE LEURS DROITS ET NON L'EXTINCTION DE CES MÊMES DROITS. LEURS REVENDICATIONS, QUE NOUS JUGERONS LÉGITIMES, SONT BASÉES SUR LEUR DESCENDANCE ANCESTRALE, LES LOIS ACTUELLES ET LA JURISPRUDENCE. AINSI, LE GOUVERNEMENT DU CANADA DEVRAIT RESPECTER LEURS DROITS ET LEUR ACCORDER LES REVENDICATIONS EN SIGNANT UNE ENTENTE FINALE AVEC LES ABORIGÈNES DE CETTE RÉGION AVANT QUE SOIT PRISE QUELCONQUE DÉCISION SUR LA CONSTRUCTION DE CE PIPELINE.

DANS UN AUTRE ORDRE D'IDÉE, NOUS NE POUVONS QUE RAPPELER, MONSIEUR BERGER, L'IMPORTANCE DE DONNER A CETTE ENQUÊTE LE MAXIMUM DE PUBLICITÉ DANS LES DIFFÉRENTS MÉDIAS D'INFORMATIONS AFIN QUE DURANT ET APRÈS LES AUDIENCES PUBLIQUES LES CITOYENS SOIENT PARFAITEMENT INFORMÉS DES DIFFÉRENTES PRISES DE POSITION QUI SONT PRÉSENTÉES DEVANT VOUS. BEAUCOUP DE GROUPES DE CITOYENS, INDIVIDUS, ORGANISATIONS, AINSI QUE DES REPRÉSENTANTS DE CORPORATIONS ONT DONNÉ DE LEUR TEMPS ET DE LEUR ÉNERGIE POUR FAIRE VALOIR LEURS DIFFÉRENTES POSITIONS FACE À LA CONSTRUCTION D'UN PIPELINE

DANS LA VALLÉE DU MCKENZIE. LES GENS QUI SERONT LES PLUS IMMÉDIATEMENT TOUCHÉS PAR CETTE ENTREPRISE ONT FAIT VALOIR TRÈS FORTEMENT ET CLAIREMENT, DURANT CETTE ENQUÊTE, QUE CETTE CONSTRUCTION MAJEURE NE DEVRAIT PAS ÊTRE ENTREPRISE POUR DES RAISONS D'ORDRE POLITIQUE, SOCIALE OU RELATIVE À L'ENVIRONNEMENT.

L'OPINION PUBLIQUE DEVRAIT ÊTRE SENSIBILISÉ AUX PAROLES SAGES EXPRIMÉES ÉLOQUEMMENT PAR LES ABORIGÈNES DES TERRITOIRES DU NORD-OUEST ET DU RESTE DU CANADA SUR LE DÉVELOPPEMENT ÉCONOMIQUE, L'UTILISATION DES TERRITOIRES ET LE PARTAGE DES RESSOURCES NATURELLES. IL EST IMPORTANT DE SOULIGNER QUE LE PEUPLE ABORIGÈNE DU SUD A VU SES DROITS ABORIGINAUX VIOLÉS DANS LES DERNIERS CENT ANS À CAUSE PRINCIPALEMENT D'UN MANQUE DE PLANIFICATION ÉCONOMIQUE ET POUR DE MULTIPLES AUTRES RAISONS.

POUR ILLUSTRER CETTE SITUATION, POUR LE MOINS DRAMATIQUE, NOUS N'AVONS QU'À CONSTATER L'ARRÊT DES ACTIVITÉS COMMERCIALES ET LA PÊCHE POUR LES AUTOCHTONES HABITANT LES RÉGIONS DE LA RIVIÈRE WABAGOON AU NORD DE L'ONTARIO ET MATAGAMI DANS LE NORD-OUEST DU QUÉBEC. COMMENT LE PEUPLE ABORIGÈNE DU SUD PEUT-IL LUTTER POUR CES DROITS DE PÊCHE QUAND LES POISSONS DES RIVIÈRES ET DES LACS SONT CONTAMINÉS PAR DES REBUTS INDUSTRIELS TEL QUE MYTHIL DE MERCURE? C'EST, MONSIEUR BERGER, UNE CHOSE QUI POURRAIT ÊTRE ÉVITÉ DANS CES TERRITOIRES DU NORD-OUEST SI SEULEMENT LES GRANDES CORPORATIONS ET LE GOUVERNEMENT DU CANADA VOULAIENT BIEN APPRENDRE DES ERREURS COMMISES DANS LE PASSÉ ET PRÊTER UNE OREILLE ATTENTIVE AUX POSITIONS ÉCLAIRÉES DU PEUPLE ABORIGÈNE.

LA LUTTE QUI MÈNE LE PEUPLE AUTOCHTONE DES TERRITOIRES DU NORD-OUEST POUR LA RECONNAISSANCE DE SES DROITS ABORIGINAUX EST DIFFÉRENTE DE LA LUTTE MENÉE PAR LES AUTOCHTONES DE D'AUTRES RÉGIONS DU CANADA, TEL QUE LE QUÉBEC,

PAR EXEMPLE. ICI, LA SITUATION EST PLUS COMPLEXE PARCE QUE DES TORTS IRRÉPARABLES ONT DÉJÀ ÉTÉ COMMIS; DANS LES TERRITOIRES DU NORD-OUEST, LE GOUVERNEMENT CANADIEN DOIT AVOIR LA RESPONSABILITÉ D'ÉVITER QUE LES MÊMES ERREURS SOIENT COMMISES. NOUS CROYONS QUE C'EST PAR LES RECOMMANDATIONS DES AUTOCHTONES DEVANT CETTE COMMISSION QUE NOUS ÉVITERONS LA DESTRUCTION DE CES TERRITOIRES ET QUE NOUS FAVORISERONS LE VÉRITABLE DÉVELOPPEMENT DES TERRITOIRES DU NORD-OUEST.

MONSIEUR LE COMMISSAIRE, NOUS AIMERIONS, EN DERNIER LIEU, SOULIGNER QU'EN RESPECTANT LA DÉCLARATION DU PEUPLE DE DENE, LE GOUVERNEMENT CANADIEN METTRA FIN AU COLONIALISME ET SERA ARTISAN D'UNE NOUVELLE ÈRE D'ÉGALITÉ ET DE JUSTICE. EN RESPECTANT LA DÉCLARATION DU PEUPLE DE DENE, LE GOUVERNEMENT DU CANADA HONORERA LES DROITS À LA DÉMOCRATIE DU PEUPLE DE CE TERRITOIRE. EN RESPECTANT LA DÉCLARATION DU PEUPLE DE DENE, LE GOUVERNEMENT CANADIEN PERMETTRA QUE S'ÉTABLISSE DE NOUVELLES ET MEILLEURES RELATIONS ENTRE LES AUTOCHTONES ET LA SOCIÉTÉ EURO-CANADIENNE, METTANT AINSI FIN AUX QUERELLES INTESTINES ENTRE LES BLANCS ET LE PEUPLE AUTOCHTONE DE CE PAYS. EN FIN, EN RESPECTANT LA DÉCLARATION DU PEUPLE DE DENE, LE GOUVERNEMENT DU CANADA POURRA INSCRIRE ET GARANTIR, DANS UNE LÉGISLATION, LES DROITS ABORIGINAUX DU PEUPLE AUTOCHTONE DES TERRITOIRES DU NORD-OUEST.

EN TERMINANT, MONSIEUR BERGER, NOUS AIMERIONS METTRE EN GARDE LA SOCIÉTÉ DOMINANTE DU CANADA ET LUI RAPPELER QUE L'HISTOIRE A PROUVÉ QUE L'ON OPPRIME PAS ÉTERNELLEMENT UN PEUPLE SANS QUE CELUI-CI RÉAGISSE COLLECTIVEMENT POUR FORCER LES GOUVERNANTS À LEUR DONNER CE QUI LEUR REVIENT DE DROIT. LE PEUPLE AUTOCHTONE DU CANADA A DES DROITS INDÉNIABLES COMME FAISANT PARTIE DU PEUPLE DES PREMIERS HABITANTS DE CE PAYS ET EN REGARD DE CE STATUT PARTICULIER, LE GOUVERNEMENT DU CANADA DOIT RÉPONDRE AUX BESOINS EXPRIMÉS PAR NOS COMMUNAUTÉS.

LE GOUVERNEMENT CANADIEN PEUT ENCORE RÉAGIR POUR EMPÊCHER LA DESTRUCTION D'UNE
CIVILISATION ET DE SON MODE DE VIE.

LE PIPELINE DU MACKENZIE:

QUELQUES ELEMENTS DE REFLEXION

DE LA PART DES " AMENAGES "

DE MIRABEL

Mémoire présenté à la
Commission Berger, par le
Centre d'Animation et d'Information
Communautaire de Sainte-Scholastique,
le 2 juin 1976.

Ce mémoire est également appuyé par Monseigneur Bernard Hubert,
évêque de Saint-Jérôme.

Notre organisme est heureux de profiter de l'occasion offerte par votre Commission pour venir exprimer un point de vue sur les aspects sociaux de développements industriels tel celui du pipeline du Mackenzie. Trop souvent, ces dimensions sont oubliées au profit d'une ^Nationalité basée exclusivement sur des considérations techniques et économiques.

Nous laissons à d'autres le soin de développer les avantages économiques ou la nécessité vitale du gazoduc pour assurer la croissance de l'économie canadienne.

Nous voulons plutôt développer notre argumentation en dégageant les coûts sociaux inévitables dans de tels projets; coûts sociaux se traduisant à moyen ou long terme en coûts économiques.

Nous disons donc qu'un processus rationnel de décision devrait prendre en considération ces coûts sociaux et prévoir les mécanismes aptes à les minimiser.

L'expérience de la construction de l'aéroport international de Mirabel servira à étayer notre point de vue.

Avant de procéder à une description des changements occasionnés par ce projet, nous aimerions souligner à la Commission quelques données sociologiques...

L'aménagement du territoire, ou le développement, ne se déroule pas dans un espace uniquement physique ou géographique. Mais cet espace géographique réfère lui-même à un espace économique, social et culturel. Autrement dit, l'aménagement du territoire signifie toujours et partout réaménagement économique, social et culturel.

Prenons l'exemple de Sainte-Scholastique.

La construction de l'aéroport exigeant dans sa première phase un espace géographique de 5000 acres sur les 93,000 acres expropriés. Le reste, soit 88,000 acres, devait être aménagé et loué aux anciens occupants qui pourraient continuer à exploiter ces terres comme par le passé.

Ce raisonnement faisait partie des prévisions des planifications du gouvernement fédéral. Ces derniers entrevoyaient le départ de seulement une minorité d'expropriés, soit ceux de la zone aéroportuaire proprement dite; les autres pourraient continuer à demeurer sur le territoire (1).

Or, que s'est-il passé?

Une enquête effectuée en 1975 révèle que plus de 50% des familles expropriées ont quitté le territoire exproprié (2). Cependant seulement 20% de ces familles étaient obligées de partir à cause de la construction de l'aéroport.

Au moment de l'enquête, cette hémorragie des départs ne semblait pas devoir s'arrêter puisque 56% des personnes résidant sur le territoire "envisageaient sérieusement de quitter leur domicile exproprié".

(1) La Haye. Ministère des Transports, Canada 1972.

(2) Cette enquête, réalisée conjointement par le Centre d'Information et d'Animation communautaire et l'Union des Producteurs agricoles, avait pour but de mesurer les effets sociaux-économiques de l'expropriation, d'analyser les perspectives de réorganisation du territoire exproprié et en particulier de l'agriculture.

Prévisions d'expansion de l'habitat

La construction de l'habitat existant dans la première phase du développement géographique de 2000 ans sur les 95,000 acres expropriées. Le reste, soit 88,000 acres, devait être aménagé et livré aux anciens occupants qui pouvaient continuer à exploiter ces terres comme par le passé.

Ce raisonnement faisait partie des prévisions des planificateurs du gouvernement fédéral. Ces derniers s'attendaient à ce que de seulement une minorité d'expatriés, soit ceux de la zone agricole portuaire proprement dite; les autres pourraient continuer à demeurer sur la terre (1).

Or, que s'est-il passé?

Une enquête effectuée en 1975 révèle que plus de 50% des familles expropriées ont quitté le territoire exproprié (2). Cependant seulement 20% de ces familles étaient originaires de terres à exploiter de la construction de l'habitat.

Au moment de l'expatriation, cette répartition des terres ne semblait pas devoir être perturbée par les personnes résidant sur le territoire "expatrié" s'attendant à ce qu'ils leur soient attribués.

- (1) Le Hays, Ministère des Transports, Canada 1975.
- (2) Cette enquête, réalisée conjointement par le Centre d'information et d'animation communautaire et l'Union des Producteurs agricoles, avait pour but de mesurer les effets socio-économiques de l'expatriation, d'analyser les perspectives de réintégration du territoire exproprié et en particulier de l'agriculture.

Un tel mouvement de migration s'explique par le fait que la construction de l'aéroport de Mirabel n'a pas seulement touché 5000 acres de terres mais elle a affecté l'ensemble de la "société" qui vivait sur ces terres. En d'autres mots, la modification d'une petite partie de l'habitat physique s'est traduite par des changements importants au niveau économique, social et culturel.

Ce sont ces modifications dont nous aimerions maintenant, brièvement, faire état.

L'ACTIVITE ECONOMIQUE:

L'agriculture constituait l'activité économique dominante de la région: elle employait 30% de la main-d'oeuvre active; à l'agriculture se greffaient les industries d'amont et d'aval qui fournissaient de l'emploi à une grande partie de la population active (1/3).

Aujourd'hui, le nombre de producteurs agricoles a diminué de 70% et les entreprises, qui leur étaient liées, sont presque toutes disparues. On évalue à environ 2000 le nombre de personnes affectées par ces changements.

Quant aux anciens agriculteurs, ils se retrouvent soit chômeurs (6.1%), soit retraités prématurés (26%), soit salariés sur la construction, dans de petits emplois: concierges, gardien, (62.9%).

La construction de l'aéroport aura créé, à la fin du projet, environ 4000 nouveaux emplois (3).

(3) Institut National de Recherches Scientifiques
Les emplois au Nouvel Aéroport International de Montréal
Université du Québec à Montréal, 1972

Cependant, seulement une minorité d'agriculteurs seront éligibles à de tels emplois, puisqu'ils n'ont pas la scolarité ou la compétence requises. Par conséquent, ces anciens producteurs, qui auparavant subvenaient largement à leurs besoins, seront d'ici quelques années à la charge de l'Etat, lorsque leur indemnité d'expropriation sera épuisée.

Il s'agit là d'un coût social important surtout si l'on considère que les fils de ces cultivateurs avaient eux aussi acquis leur compétence sur la terre et qu'ils ont maintenant perdu leur droit à cette terre.

Cette compétence acquise sur la ferme plutôt qu'à l'école ne se mesure pas en diplôme: elle est par conséquent difficilement monnayable.

Pour les agriculteurs comme pour les Indiens et les Inuits, la terre représente un moyen de produire ses conditions d'existence; en la leur enlevant, ce sont ces moyens d'existence mêmes qui disparaissent. Il importe de prendre cette réalité en considération lorsqu'on aborde les problèmes d'une juste indemnité pour les réclamations territoriales.

LES PROBLEMES SOCIAUX:

Les changements qui affectent l'activité économique se répercutent aussi au niveau social.

L'hémorragie des départs (inutiles) a complètement déstructuré la vie communautaire: 95% des personnes ont vu des membres de leur réseau d'amis ou de leur famille quitter le territoire. Les réseaux d'entraide et de collaboration disparaissent; si bien que le $\frac{3}{4}$ de la population ne croit plus en la possibilité de réorganiser la vie communautaire.

Tous s'accordent à dire que la génération des expropriés de Mirabel représente une génération perdue; et il sera très difficile, voire impossible, de rétablir un climat de confiance, qui dès le début du projet, a fait défaut.

Ces conséquences négatives du projet de Mirabel illustrent la nécessité de ne pas précipiter des projets de développements aux effets souvent difficiles à prévoir...

La politique du "agir maintenant, rationaliser plus tard" se traduit à Mirabel par des coûts sociaux incommensurables:

- * 98.8% de la population n'a pas eu l'impression d'avoir été suffisamment consultée et informée.
- * l'insécurité était et demeure le principal problème: d'où les départs massifs, en particulier chez les agriculteurs (70%).
- * ces départs signifient la "destructuration" de l'agriculture

A une époque où l'on parle de la nécessité d'une gestion responsable des ressources canadiennes, nous croyons qu'il est primordiale de penser à un aménagement rationnel de nos ressources naturelles. "Terres arables, énergie...)

Mais, si, en dépit de toutes les "mises en garde" la "nationalité des blancs du Sud" devait l'emporter, ce qui se traduirait pour les Indiens par l'expropriation de leur mode de vie, qu'au moins, pour une fois, un geste humanitaire soit posé en défrayant monétairement les coûts sociaux anticipés d'une telle expropriation.

C'est-à-dire, que l'on compense "justement" cette population pour qu'elle ne soit pas condamnée à l'indigence, mais que même après son expropriation, ces gens puissent se considérer comme des "citoyens à part entière".

En particulier, nous insistons, nous joignant à de nombreux autres organismes, pour demander qu'avant d'entreprendre tout travaux pour le développement des ressources de la vallée du Mackenzie, se tienne un moratoire suffisamment long pour permettre de connaître précisément toutes les conséquences socio-économiques d'un tel projet. Peut-être serait-il alors possible d'en minimiser les coûts sociaux ou du moins, d'informer au préalable, les populations concernées.

De plus, ce moratoire devrait servir à régler de façon équitable toutes les réclamations territoriales des autochtones.

Un tel moratoire éviterait les conséquences désastreuses qui se sont produites à Sainte-Sholastique (cf appendice) et empêcherait les relations "Indiens-Gouvernement" de se transformer en conflit permanent.

Ce serait là un bien grand pas franchi par nos gouvernements en matière d'expropriation.

A BRIEF
PRESENTED ON BEHALF OF
THE SYNOD OF THE ANGLICAN DIOCESE OF MONTREAL
BEFORE
THE MACKENZIE VALLEY PIPELINE ENQUIRY
IN MONTREAL, QUEBEC
June 1st, 1976

Mr. Commissioner:

On behalf of the Synod of the Diocese of Montreal, and of approximately 60,000 Anglican churchpeople in this Diocese, I would like to thank you for the opportunity of appearing before you, to express in the name of this constituency some of its concerns which relate to the proposed natural gas pipeline and indeed to the larger issue of Northern development.

At its annual Synod, held in Montreal on May 13th and 14th, 1976, the Diocese through its delegates, who numbered more than 300 clergy and laypersons, and who represented some 140 parishes and congregations, passed the following motion:

"Resolved that this Synod expresses concern for the environmental and social dangers inherent in Northern development, and wishes to encourage all Christians to express themselves to their elected representatives on the matters of justice for the Native peoples of the North; And further endorses the efforts of particular Church groups to express these concerns to the Berger Commission."

The Diocese of Montreal is but one of the thirty member dioceses of the Anglican Church of Canada. Other sister dioceses have also appeared before your Commission.

The National Executive Council of the Anglican Church of Canada approved the following motion at its meeting on May 7th, 1976:

"The National Executive Council commends the principle, style and integrity of the Berger Commission hearings on the Mackenzie Valley Pipeline; The National Executive Council recommends to the Federal Government the continued application of this principle for citizen participation in future proposals of profound regional and national impact;

In view of the importance of the full understanding and appreciation of the issues by all Canadians, the National Council recommends the active participation by our Church in the Southern Berger hearings by supporting the need for a moratorium on the Mackenzie Valley Pipeline Development."

It is therefore with these mandates that we appear before you.

As Christians we recognize that we may have a particular understanding of life and a set of values which do not reflect the majority opinion in this country. Nevertheless we feel constrained to place these concerns before you as Christians who are committed to a belief in the worth and dignity of man and in the conservation of God-given resources. We are equally convinced that it is the responsibility of our elected representatives to take full account of these convictions.

We bring to you then, Mr. Commissioner, no detailed technical considerations, but rather ethical concerns related to the rights of Native peoples in Canada, to environmental, ecological and social issues which affect the quality of life, not only of our Native peoples, but also of people in Southern Canada and indeed in the rest of the world.

Land Claims:

Here we must add our support to the position outlined by the Canadian Catholic Conference in its 18th Labour Day Message, entitled "Northern Development - At What Cost?"

Any development project in the North must be delayed until the land claims of Native people have been settled in a just way. Justice demands that the residents of the North not only be consulted prior to the initiation

of development projects, but also that they participate effectively in shaping their own regional development and in safeguarding their ecological, environmental and economic needs. Native peoples no less than Southern Canadians must be permitted control over the development of the regions in which they live and work.

To this end, we recommend that the people of the North be represented on all decision-making bodies concerned with the development of their region, and that the representation of Native and non-Native people be proportional to the population of the area under review. We support the Native peoples' rights to negotiate settlements which are appropriate to them, and we reject any approach which suggests that Southern Canadians should determine on behalf of the Northern peoples what is or is not an appropriate settlement.

Environmental Safeguards:

We do not as yet have clear answers regarding the means necessary to protect the ecology of the North. Nor does the Government possess definitive solutions to the problems of ecological protection. It is necessary therefore that time be given, during which environmental technologies can be developed and unbiased appraisals can be formulated, before the initiation of developmental projects.

Furthermore we believe that the construction of a pipeline poses vast inherent possible dangers to the balance of the ecology, and we recommend that every other means of achieving the same end, that of adequate energy supplies, be explored and seriously considered, before we embark upon a project so fraught with known and unknown perils.

We would emphasise that the overriding concern in the matter of energy transportation should be for the quality of life of our Northern peoples, and for the security of a precariously balanced environment. Decisions on devel-

opment projects should not be made simply, or even primarily, on the basis of profitability or economic growth.

Responsibilities of Southern Canadians:

The development of energy resources in the North has been significantly accelerated by the pressure of a consumer ethic in the rest of Canada and North America. We stand committed to a change in this ethic, and to the promotion of attitudes which reflect a conservative and responsible stewardship of energy. We recommend that alternate renewable sources of energy be investigated and where feasible developed, and we further recommend that the Government promote such technologies geared to harnessing wind, sun, tides and other sources of energy which do not deplete the environment, and which have but minimal negative impact upon the ecology of the land.

As individuals we are prepared to make sacrifices, and to lower our consumption of energy, and we encourage all Canadians to do likewise. However, industry and business must also carry their fair share of responsibility for conservation. We encourage the government to develop means whereby industries and businesses will be obliged to undertake meaningful energy conservation programmes.

Responsibilities to the Third World:

While we advocate most strongly that the construction of the pipeline be delayed until native land claims are settled, and until the quality of the environment has been fully safeguarded, we are aware that oil and gas are necessary to the production of fertilizers. We recommend that the Commission satisfy itself that delays in the construction of the pipeline will not affect adversely the production of fertilizer or ultimately the ability of Canada to export food to the Third World in the coming decade.

SUMMARY OF RECOMMENDATIONS:

The Synod of the Diocese of Montreal therefore recommends to the Commission that:

1. Any development project in the North be delayed until the land claims of the Native peoples are justly settled, and their aboriginal rights honoured.
2. The people of the North be represented on all decision-making bodies concerned with the development of their region, and that such representation of Native and non-Native persons be proportional to the population of the given region.
3. The Native peoples of the North be accorded to the right to negotiate settlements, the terms of which are not dictated by white paternalistic considerations, but rather which reflect the principle of indigenous self-determination.
4. No pipeline development be initiated until sufficient time has been allotted, during which adequate environmental technologies and safeguards may be developed, and until full satisfaction is given that the ecology of the area will not be significantly damaged.
5. No pipeline be constructed until a thorough exploration of every other means of providing adequate energy supplies has been undertaken.
6. A concerted national effort be undertaken to provide massive support for research into the development of renewable energy resources.
7. The priorities of this nation be reestablished squarely upon a concern for the quality of life of its people, and for environmental protection, rather than upon considerations of economic growth and profitability.
8. Industries be obliged to take a significant share in the conservation of energy and that the Canadian people be strongly encouraged to reduce their consumption of all forms of energy, and to accept a lower rate of economic growth.

9. Realistic royalty and tax provisions be established in order to reduce unreasonable profits of multi-national corporations and governments, and to ensure a proper return to the Canadian people on their non-renewable resources; such a return to be spent for the public good.
10. Exportation of oil and gas to other nations be gradually reduced.
11. The Commission satisfy itself that delays in pipeline construction will not adversely affect the ability of Canada to produce food to be made available to the nations of the Third World.

This document, Mr. Commissioner, has also been examined by the Church in Society Committee of the Montreal Presbytery of the United Church of Canada. This committee wishes to express its endorsement and support of the present brief.

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MACKENZIE VALLEY PIPELINE ENQUIRY
BEFORE MR. JUSTICE BERGER

Mr. Commissioner:

I would like to take this opportunity of your visit to Montreal to explain and comment on some of the experience with land claim negotiations in northern Quebec which, I believe, has some bearing upon your hearings on the Mackenzie Valley Pipeline right-of-way.

I must begin by making it very clear that I speak as a private citizen and that I do not claim to represent the views of any particular organization, native or otherwise, in what I am about to say. However, I should say something about my background. I have worked for the last three and a half years in an advisory capacity to the James Bay Cree in the course of their negotiations towards a land claim settlement in northern Quebec. I am now, as an employee of the Grand Council of the Crees (of Quebec), involved in the implementation of the James Bay Agreement, as it has come to be known. My experience has been primarily in the areas of setting aside lands for the benefit of the Crees, in determining the land regimes that will apply to them, and with certain other regimes relating to game management and environmental protection.

I have come here today neither to defend or condemn the settlement reached in northern Quebec. Instead, I have come simply to comment on what I perceive as certain essential differences between northern Quebec and the present situation in the Northwest Territories and the Yukon, and, hopefully more important, to point out certain aspects of the experience gained in northern Quebec which should not be overlooked if we are to understand the problems now faced by the communities of the Mackenzie Valley. However, it is only fair

for me to say that as an individual I do have a commitment to the James Bay Agreement and that, again as an individual, I am very much concerned that the administrative regimes established by that Agreement be put to work in a manner which serves the best interests of the Cree and Inuit peoples for whom they were designed

I also want to make it clear that I am convinced the substance of the James Bay Agreement conforms much more closely to the aspirations of the Cree communities than is assumed by outsiders, and I know that the level of details for example in respect to hunting and fishing rights, was something specifically sought by the local communities.

I have tried to follow the progress of your enquiry in the course of its many visits to the Arctic communities and to derive from the reports in the media some sense of what is being said and discussed. The over-riding impression I have is that the Inuit and the Indian groups affected by the pipeline and its related activities would like to see a land claim settlement before the development of a pipeline corridor. This interests me particularly because it represents the opposite of the situation in James Bay in which, in fact, the development came first and the land claim settlement was to some extent built around it. This is, to me, an intriguing difference and one which deserves careful examination. However, it does occur to me that the concept of a 'land claim settlement' has to some extent been detached from the day-to-day economic and social realities of northern life, and that there has been a tendency, at least in the media to, assume that the 'settlement' will offer the required solution to the problem, without at the same time stating clearly what the 'problem' is that the settlement is intended to respond to. There also seems to be an assumption that discussion will end once a land claim settlement is signed - although my experience is that the signature is only the beginning.

It follows from what I have just said that most of my remarks are related to three questions: What is a 'native claims settlement' and what interests do such settlements serve? What is the effect of settling a land claim before the development giving rise to the claim takes place? And, finally, what does the substance of the James Bay Agreement have to do with the situation in the Mackenzie Valley?

Let me comment first upon the concept of a land claim settlement, without dwelling on the evident constitutional and moral questions involved in the treaty-making process. It has always seemed to me that the native communities that I know tend to see land claim issues in terms of the protection or enhancement of their livelihood, in particular the livelihood of their children and of future generations. The people involved are concerned, if you like that the rights be recognized in law - not so much because codification itself has a special significance, but because they desire that governments understand their way of life and the importance of the economic and social decisions which they face in their everyday lives, (and with this understanding, take suitable measures which would make possible the aspirations of the individual Cree).

In practice then - again, speaking only from my own experience - settlement of claims is identified with recognizing and giving effect to rights, which means: recognizing and making possible the economic and social opportunities which the people are seeking for themselves and for their descendants. In negotiations, at least in James Bay, this was translated into a search for ways to protect, both socially and economically, an important and extensive subsistence economy while at the same time providing for improved access to sources of wage employment and local entrepreneurial activity. It was very much a combined approach, the intention being

to retain for the individual the choice of his own particular mix of lifestyles. Examining the text of the Agreement, you find that, in accordance with these objectives, the administrative structure of the agreement is designed to promote the delivery of services which would make these combined objectives possible - despite a certain imprecision and lack of clarity which seems to be inherent in the negotiating process. Some of the particular devices that were chosen to do this I will mention a little later.

The point that I want to make here - and I know it is one that many do not readily accept - is that at the level of the isolated northern native community, remote from stable and sustained sources of revenue and very much concerned with the future of a subsistence economy which provides the core of their system of societal values - the important issues do not revolve around control and decision making authority as ends in themselves, so much as around the direct participation in the administrative procedures of governments which determine the quality of the services they receive in the communities themselves and which determine the security and stability of life on the land. Control and decision-making authority certainly emerge as important - but as a means to bolster the local economy, improve the quality of the local administration of services, and provide a measure of protection for their use of the land.

I am afraid that too often in discussions on native land claims, I have heard it argued that the objective itself is the acquisition of control and decision-making authority, without concern as to what these powers and responsibilities will be used to do. Ultimately, surely, the real test is the quality of the community life-style and the quality of the local participation in the administrative process which makes that life style possible?

When I look back to the James Bay negotiations, and remember the tribulations involved then, and even now in putting the Agreement to work, I realize of course that it is one thing to set out the principles as I have just done, and quite another to put them into affect. Nevertheless, the James Bay Agreement, with all the blemishes so well known to the many who have worked with it, does go a long way towards setting up a series of regimes designed with a great deal of care to serve the interests voiced at the level of the community. However, I think it would be a mistake to regard the James Bay Agreement as something essentially static - in practice, the Agreement serves as a simple framework on which the Cree and the Inuit must build, and I think it will be well worthwhile following what happens to the Agreement in the course of its implementation. The greatest mistake of all, in my opinion, would be to think that the mere signature of an Agreement is a solution in its own right - instead, everything, almost everything, turns out to depend on implementation - and implementation will determine whether negotiated regimes thrive and prosper or wither and fail, unused and unrespected.

The second of my questions has to do with the effect of negotiating a land claim settlement before development takes place - of course an ideal only partly realisable. Here, my remarks will be very brief. I want to say only that in the specific case of the James Bay Crees and the La Grande hydro-electric development, the Cree were faced with a major hydroelectric project already in the course of construction and were obliged to fashion an Agreement which took this and other related developments into account. Those who were involved, I believe were convinced of two things on this matter. First, that you cannot draft an agreement which ignores the immediate economic and social impacts of anticipated or concurrent development without running the risk of really mistaking the issues and failing to buffer the communities against what is often, to be

quite honest about it, the most serious impact of all - the disruption and inversion of the local economy in the face of major industrial development. Second, developers in general, and I suppose certain Crown Corporations in particular, have objectives which assuredly do not coincide with those of the native people and there is little point in assuming that they do. Designing a settlement around existing developments is a process of compromise, often a painful experience, but one which teaches many lessons and opens many pathways.

My personal opinion, in summary, is that a number of shortcomings can be found in the James Bay Agreement on this score, but that in general it makes very good sense to fashion a settlement with a pretty clear idea of the nature of the specific developments and related economic and social pressures which will effect the communities at the receiving end of the agreement.

I will turn now to my final remarks, which concern the question of what the content of the James Bay Agreement has to do with the issues being discussed in and around the Mackenzie Valley. I will have to be brief, but I hope not trivial. The recent historical circumstances and the cultural differences involved are very different indeed. Nevertheless, there are common themes present which I think can be identified. I will concentrate on three elements which seem to be particularly striking.

First, a major element of concern both for the native peoples of northern Quebec and of the N.W.T. and Yukon has been the protection of and support for the subsistence economy. This is reflected in the emphasis on developing trappers' associations, but to me the essential question here is one which does not seem to have been directly tackled by government officers responsible for game management - and that is,

how do you manage game resources while at the same time recognizing and protecting both subsistence and sporting interests in those game resources. I think the approach in northern Quebec is both novel and promising: the three basic elements of the policy there have been first to determine the present level of use of wildlife resources and use this level as the basis of a guaranteed level of harvesting; secondly the creation of a 'co-ordinating committee' involving representation of local communities on what amounts to a technical board responsible for designing and drafting game regulations for northern Quebec, involving both Federal and Provincial representation; and thirdly, the setting aside of exclusive areas where only native people may hunt and fish in tandem with a principle which establishes the right of native people to hunt and fish everywhere those activities are physically possible, subject to the principle of conservation. This is to simplify a complex and subtle regime - the main point being that the combination of these three components provides the basis for developing game management techniques which take into account subsistence activities rather than tolerate them through oversight or evasion.

A second illustration could, I think, be drawn from the topic of local government and its treatment under the agreement. The Cree (and there is a distinction to be made here between the Cree and the Inuit) sought what they believed to be the protection of shared Federal and Provincial jurisdiction by remaining under a Federal statute, a Cree Act now being negotiated, with Indian reserve lands, but at the same time having other lands under a Provincial municipal corporation. This was a device which was intended to provide a measure of protection for local government, at the same time as providing for eventual integration with the Provincial Cities and Towns Act. To me, an interesting aspect of this approach is the built-in procedure which allows, if the individual community so desires, for a period of transition as the local government grows in confidence and

experience and gradually assumes, or has delegated to it, greater and greater responsibilities. Of course, it remains to be seen what will happen, but the interesting concept here, to me, is that a mechanism is created for promoting the development of responsible local authorities through a process of staged transfer of responsibilities, rather than an immediate assumption of heavy and unfamiliar duties.

A third aspect of the James Bay Agreement, and the last I shall consider that seems to have some relevance to the N.W.T. is the concept of the 'advisory body'. This is a mechanism for involving local communities (and their local governments) directly in the process of regional administration of certain kinds of services by means of advisory bodies which involve both the Federal and Provincial Departments implicated, and which creates an interesting and unusual opportunity for direct participation of the small, isolated community in the administrative processes which affect it. The co-ordinating committee, mentioned above, is one such body: others are a regional education authority, a health board, a set of reviewing authorities responsible for future environmental and social protection, and several other structures which provide for collaboration between the Crown and its agents and the local communities in the effective delivery of social services and in the various aspects of a regional administration which daily touch the lives of peoples whose activities traditionally cover such a wide area of land. Of course, all the Agreement does is set out the principles of operation of these boards and define their responsibilities - whether or not they work in practice will depend entirely on their manner of implementation and the extent to which government and native people see them as effective channels of communication.

This completes what I have to say. I hope I have been able to make the case that although the James Bay Agreement was negotiated under very different circumstances to those of the Mackenzie Valley pipeline development, there are nevertheless certain aspects of

that Agreement which, are relevant to the nature of aspirations of the native people of the Northwest Territories and which, I believe, warrant careful examination by those concerned with the consequences of land claim settlements. I thank you very much for this opportunity to speak at the inquiry.

AP/rc

Alan Penn
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LE 31 MAI, 1976

ENQUETE SUR LA PIPELINE DE LA VALLEE MACKENZIE

ENQUETE SUR LA PIPE-LINE DE LA VALLEE MACKENZIE

Depuis l'exploitation et l'indifférence vis-à-vis la terre et les ressources dans le Sud, le Nord est maintenant devenu le point de concentration.

Dans la région en question, soit les Territoires du Nord Ouest, le Peuple Dené forme la majorité de la population, comptant environ vingt milles personnes. Est-il si facile d'ignorer vingt milles personnes?

La base pour la réclamation territoriale du Peuple Dené, comme dans toutes les autres réclamations territoriales à travers le Canada, est le concept des Droits Aborigènes. Les Droits Aborigènes sont des droits à la terre qui s'appliquent au Peuple Indien en vertu de l'occupation de certains territoires depuis un temps immémorial. La garantie fondamentale des Droits Aborigènes assure, au Peuple Indien, le droit de vivre sur et de se servir de cette terre sans aucune intervention de personne. Il existe de plus une garantie de compensation dans les cas où certains Indiens décident d'abandonner leurs droits à la terre. Malheureusement, les lignes de conduite, en ce qui a trait aux Droits Aborigènes, furent dressées par les nations Européennes, qui avaient leur propre interprétation des Droits Aborigènes, sans tenter de comprendre le concept Indien. Le Peuple Dené dicte maintenant sa propre interprétation des Droits Aborigènes. De plus, les lignes de conduite dressées par les Nations

Pipe-Line de la Vallée
Mackenzie

(2)

le 31 mai, 1976.

Européennes reflètent naturellement les intérêts politiques et commerciaux de ces nations et continuent encore aujourd'hui de servir de base lors des décisions des Tribunaux dans les cas où il est question des Droits Aborigènes.

Le Peuple Dené des Territoires du Nord-Ouest a déposé une réclamation légale couvrant quelques 450,000 milles carrés des Territoires du Nord-Ouest. Leur réclamation se base premièrement sur le fait que, de génération en génération, et ce depuis un temps immémorial, ils ont toujours occupé cette terre et deuxièmement sur le fait qu'aucun Traité valable n'a jamais été signé indiquant qu'ils abandonnaient quelque partie que ce soit de cette terre.

Le Peuple Dené, ainsi que l'Association des Indiens du Québec, croit qu'il existe un besoin bien déterminé de progrès, mais que ce progrès ne peut prendre place tant que le Peuple Indien n'aura pas été assuré de son existence. En d'autres termes, nous devons venir à une entente territoriale avant qu'aucun développement ne puisse commencer. L'Association des Indiens du Québec croit qu'on ne doit pas contraindre le Peuple Dené à conclure des ententes semblables à celles signées avec les Cris et les Inuits de la Baie James et avec les Mohawks pour la Voie Maritime du St. Laurent.

Les Peuples Cris et Inuits ont cédé approximativement 400,000 milles carrés de terre pour environ \$150 Millions. De plus, bien que

Pipe-Line de la Vallée
Mackenzie

(3)

le 31 mai, 1976.

L'entente accorde plusieurs provisions qui bénéficieront aux Cris et Inuits, elle contient un article qui nuira pour toujours aux Indiens et Inuits du Nord du Québec. En termes simples, cet article spécifie qu'en échange pour tout l'argent et les provisions, les Indiens et Inuits aboliront tous leurs droits à cette terre du Nord du Québec et du Canada.

Les Indiens du Québec croient que ce fut là un grand tort causé au Peuple Indien et insistent fortement sur le fait que la Nation Dené doit éviter toute entente qui pourrait contenir un tel article ayant des interprétations diverses et d'une grande portée.

L'Association des Indiens du Québec ne supportait pas à ce moment une telle entente, ne la supporte pas plus maintenant et ne la supportera jamais dans le futur. L'Association des Indiens du Québec supporte fermement le Peuple Dené sur le fait que ce dernier ne doit conclure aucune entente contenant certaines provisions pouvant abolir les Droits Aborigènes.

L'Association des Indiens du Québec attaque la procédure qui fut suivie lors de l'Entente à la Baie James, c'est-à-dire: (1) la décision du Gouvernement de continuer le Projet de Développement de la Baie James avait déjà été prise sans d'abord consulter le Peuple Aborigène de cette région; (2) les négociations ne commencèrent qu'après avoir effectué une bonne partie du Développement et après seulement que le Gouvernement n'ait été forcé à négocier avec

Pipe-Line de la Vallée
Mackenzie

(4)

le 31 mai, 1976.

les Cris et Inuits; (3) on a dit aux Indiens que s'ils n'acceptaient pas cette Entente le Parlement passerait une législation qui leur enlèverait leurs terres et qu'ils ne recevraient absolument aucune compensation.

La Commission d'Enquête sur la Pipe-Line de la Vallée Mackenzie devrait faire tout en son pouvoir afin d'éviter que la même chose ne se reproduise pour le Peuple Dené des Territoires du Nord-Ouest.

Quand un projet d'une telle ampleur est introduit, le Peuple Indien du Sud regarde la Voie Maritime du St. Laurent de la même façon que le Peuple Indien du Nord envisage la Pipe-line de la Vallée Mackenzie.

Durant la construction de la Voie Maritime du St. Laurent, aucune entente ne fut conclue avec le Peuple Indien, si ce n'est quelques simples garanties d'emploi et la restauration de la terre à son état original.

D'accord, il y a eu une hausse rapide mais courte d'emplois, mais maintenant les seuls Indiens qui travaillent pour la Voie Maritime sont concierges ou hommes d'entretien. Vous ne verrez jamais un Indien occupant une position Clef avec la Voie Maritime. La Voie Maritime a causé de vastes érosions des terres Indiennes, ruiné la pêche sur la Réserve et a de plus ruiné plusieurs acres de terres cultivées et ce dû au dragage du fond du fleuve. Les

Pipe-Line de la Vallée
Mackenzie

(5)

1e 31 mai, 1976.

terres Indiennes furent épuisées en grandeur et toute transaction monétaire pour cette terre fut bien au-dessous de la valeur courante de la terre perdue.

Dans les Territoires du Nord-Ouest, la grande hausse économique durant les années de construction causera sans doute une dépendance sur les luxes de la vie, ce qui ruinera tout le Mode de Vie Indien. Les Indiens profiteront d'une période de prospérité monétaire, et, soudainement, tout sera fini. L'argent causera alors une dégradation du Peuple Indien quand ceux-ci opteront pour un système monétaire (i.e. Bien-Etre Social) plutôt que de retourner au mode de vie Indien normal, tout comme le démontre l'exploitation dans le Sud.

Le développement de la Voie Maritime, ainsi que de la Baie James, était en marche depuis longtemps quand les Indiens ont soudainement réalisé ce qui se passait. Les Indiens ont tenter de sauver tout ce qu'ils pouvaient vu cette situation désespérée. Le Peuple Indien négocie toujours au sujet de la Voie Maritime du St. Laurent (20 ans) et du Projet de la Baie James. Le Peuple Dené a vu tout cela se produire et espère fermement pouvoir éviter une telle répétition.

La soit-dite autorité du Peuple Indien sera rongée par l'affluence des gens du Sud dans le territoire, et eux, à leur tour, par leur majorité, feront pression auprès du Gouvernement afin que ce

Pipe-Line de la Vallée
Mackenzie

(6)

le 31 mai, 1976.

dernier apporte des changements pour satisfaire à leurs demandes et ce, aux dépens du Peuple Indien.

Ne devrait-il pas y avoir une garantie constitutionnelle que tout cela ne se produira plus? (parce que c'est ce qui s'est produit dans le sud).

Nous nous demandons pourquoi le Gouvernement Fédéral a établi une telle Commission d'Enquête quand ils ont déjà décidé de procéder avec la Pipe-line. Il semble que l'on mène cette enquête simplement pour apaiser la conscience du Gouvernement Fédéral. Plusieurs fonctionnaires ont déjà déclaré que les intérêts du Peuple Indien dans le Nord n'empêcheraient aucunement le progrès technique.

Il semble de plus que la vieille mentalité de l'Ouest existe toujours, où les prospecteurs pouvaient entrer à une frontière et proclamer cette terre comme étant la leur, pourvu qu'ils soient les premiers blancs là, sans aucun respect pour les habitants aborigènes. Ce mode de penser aurait dû disparaître avec la vieille ère des "cowboys et des Indiens".

Les Indiens ont défini leur propre théorie des Droits Aborigènes, laquelle fut reconnue par les décisions de Morrow et Malouf, déclarant que les Indiens peuvent en effet légalement réclamer cette Terre. Malgré ces décisions du Tribunal, le Gouvernement menacera d'adopter

Pipe-Line de la Vallée
Mackenzie

(7)

le 31 mai, 1976.

une pièce de législation convenable leur permettant de poursuivre le développement "pour le plus grand bien du Canada", et ce, aux dépens des Indiens, des Terres Indiennes et des Droits Indiens.

Il doit toujours y avoir des Indiens et des territoires Indiens exclusivement sous la juridiction des Peuples Indiens. Le Canada est obligé de protéger ces peuples et ces territoires.

Nous croyons que nos arguments sont justifiés, et toute décision prise n'affectera pas seulement le Peuple Indien mais aussi la population Canadienne. Nous devons toujours garder en tête que les Indiens sont humains, avec tous les besoins fondamentaux de toute personne humaine.

Les Indiens essaient, depuis de nombreuses années, de vivre en harmonie avec les Blancs, mais, dans la société Canadienne, ils ont les maisons les plus pauvres, les santés les plus fragiles, un plus grand taux de chômage, le plus d'alcooliques et le plus de personnes en prison. Nous croyons que cette situation provient du fait que les non-Indiens sont réticents à considérer et à comprendre les présentes valeurs et revendications Indiennes.

La déclaration Dené est un énoncé du Peuple sur la façon dont ils ont l'intention de préserver et de protéger leur culture et leurs terres.

Pipe-Line de la Vallée
Mackenzie

(8)

le 31 mai, 1976.

C'est une déclaration de juridiction basée sur les Droits
Aborigènes.

Le Peuple Dené et le Gouvernement du Canada réalisent qu'aucune
nation ne peut aujourd'hui être complètement indépendante. Les
Déné désirent établir une relation au sein des cadres d'un Canada.
L'ETABLISSEMENT DE CETTE RELATION DEVRAIT PRECEDER TOUT DEVELOPPEMENT
MAJEUR DANS LES TERRITOIRES DU NORD-OUEST.

Les Dené ont concentré toute leur attention sur les réclamations
territoriales dans le but de maintenir et de préserver leur héritage
et leur culture pour les générations à venir, et non seulement dans
le simple but d'empêcher le développement et de créer une situation
avantageuse pour rehausser la compensation financière de leur récla-
mation territoriale.

Qu'est-il arrivé au Peuple Indien où le développement et
l'exploitation ont déjà pris place, notamment dans le sud du Canada.

Parce qu'on n'a porté aucune considération au Peuple Indien,
nous sommes obligés de:

- Quand nous voulons nous nourrir, nous devons obtenir la permission
des opérateurs de camps de Chasse et de Pêche, ensuite du Gouverne-
ment Fédéral. Toujours, à un certain niveau, on nous refuse la

Pipe-Line de la Vallée
Mackenzie

(9)

1e 31 mai, 1976

permission. Nous sommes alors forcés de dépendre du BIEN-ETRE SOCIAL.

- Quand nous voulons nous construire une maison, nous devons obtenir la permission des Compagnies de Bois de Charpente, ensuite du Gouvernement Provincial et ensuite obtenir l'approbation du Gouvernement Fédéral. Toujours on nous refuse la permission. Nous devons alors dépendre du Plan d'Habitation du BIEN-ETRE SOCIAL.
- Quand nous voulons nous éduquer, nous devons nous conformer aux demandes des Commissions scolaires non-Indiennes, ensuite aux demandes du Gouvernement Provincial et ensuite obtenir encore l'approbation de Gouvernement Fédéral. Toujours la forme d'éducation stipule que nous devons devenir non-Indiens, sans aucun moyen de nous servir de l'éducation pour nous améliorer. Résultat - BIEN-ETRE SOCIAL.
- Quand nous voulons nous gouverner nous-mêmes, nous devons obtenir la permission de Département des Affaires Indiennes, accepter les exigences du Gouvernement Fédéral qui, à son tour, obtient l'approbation de Gouvernement Provincial. On nous dit toujours que nous ne pouvons pas nous gouverner nous-mêmes et que nos demandes ne se conforment pas aux besoins de la population générale Canadienne. Résultat - DEPENDANCE - BIEN-ETRE SOCIAL.

Pipe-Line de la Vallée
Mackenzie

(10)

le 31 mai, 1976.

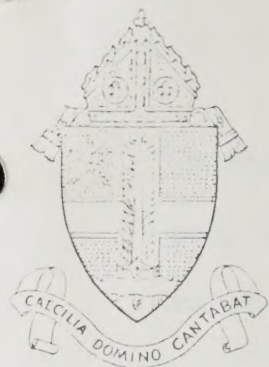
- Quand nous voulons développer nos terres, nous devons obtenir la permission du Gouvernement Fédéral. On nous dit toujours que cette terre n'est pas vraiment la nôtre mais qu'elle appartient soit à la Couronne de la Province, soit à la Couronne du Canada ou que, afin de développer nos terres, nous devons devenir non-Indiens en formant des Compagnies qui n'ont pas une identité Indienne - Résultat - MALENTENDU - DEPENDANCE - BIEN-ETRE SOCIAL.
- Quand nous mourons, nous demandons pratiquement la permission des peuples gouvernants, parce qu'ils nous dictent notre existence. Toujours nous mourons en laissant notre peuple avec les mêmes frustrations. Résultat - BIEN-ETRE SOCIAL.

Cette génération, la vôtre et la nôtre, devrait agir maintenant, afin qu'avant de mourir, nous puissions voir les premiers pas importants vers la vraie préservation et protection d'un peuple et de la terre.

EST-CE QUE L'IMPOSITION D'UNE PIPE-LINE RESOUDRA CES PROBLEMES?

Le Peuple Indien croit que l'homme blanc est avide.

EST-CE QUE L'IMPOSITION D'UNE PIPE-LINE CHANGERA CETTE PENSEE?



Diocèse de Valleyfield

Le 1er juin 1976

MEMOIRE PRESENTE A LA COMMISSION BERGER

Parce que je suis commissaire scout et que je suis impliqué directement dans certaines actions visant à protéger l'environnement dans le Sud-Ouest du Québec,

Parce que, en tant que Vice Président du Regroupement Québécois pour l'Environnement, j'ai eu l'occasion de prendre connaissance des grands dossiers de l'Environnement au Québec,

Le diocèse de Valleyfield m'a demandé de présenter un mémoire, auprès de la Commission Berger dont le mandat est de consulter la population sur la construction d'un gazoduc dans la vallée du Mc Kenzie.

La communication que je vous présente se veut une réflexion sur la logique irréfléchie de développement d'un pays comme le nôtre.

Quand on annonce un grand projet de développement de style de la Baie James, de Mirabel ou du gazoduc du Mc Kenzie, celui-ci est toujours présenté comme une nécessité pour les canadiens, comme une urgence même!

On nous dit, que d'après les projections, le pays a besoin de plus de gaz, d'huile ou d'électricité en l'an 2,000 ou 2,100... Jamais on ne remet en doute ces chiffres!

C'est vrai que nous aurons besoin de toute cette énergie... si nous continuons à consommer au rythme actuel!

Pouvons-nous dire cependant que nous consommons à un rythme normal quand le gouvernement n'a aucune politique concernant le recyclage des biens de consommation, quand le gouvernement laisse, sans entraves, les multinationales faire la promotion de leurs produits et inciter la population à une consommation abusive?

Pour fabriquer, acheminer, vendre et utiliser tous ces produits non durables, non recyclés, et souvent inutiles, la population consomme une quantité énorme d'énergie.

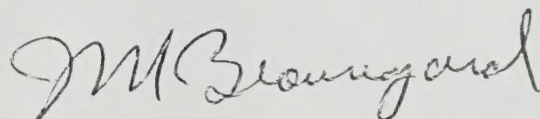
Le but ultime des grandes multinationales est, à ce que je sache, faire de l'argent, et le plus possible.

Pour elles, il importe très peu que l'on gaspille de l'énergie, que l'on contamine la nature, que l'on exploite les défavorisés ou que l'on épuise les richesses naturelles. Malgré le beau visage qu'elles se donnent, les multinationales sont loin d'avoir un but philanthropique. Leur permettre d'exploiter, sans réel contrôle, nos richesses naturelles, c'est exposer les citoyens des générations futures à des problèmes d'une ampleur catastrophique. Un gouvernement responsable ne peut permettre l'exploitation importante de nouvelles sources d'énergie tant qu'il n'a pas réglé les problèmes du recyclage et du gaspillage dans notre société. S'il ne le

fait pas, le temps se chargera de nous ramener à la réalité quand nous aurons à payer le coût social et économique des abus actuels.

Avant de terminer, j'aimerais m'élever contre cette politique de néo-colonisation des gens du nord. Tous savent que sans l'exploitation éhontée des pays pauvres, notre standard de vie ne serait pas ce qu'il est à l'heure actuelle. Or, sous l'étiquette "progrès", on se dirige actuellement vers le génocide, d'un peuple qui a toujours vécu d'une façon équilibrée avec les biens qu'ils possédaient. Les gens du nord canadien n'ont pas, à souffrir des besoins énergétiques anormaux de leurs concitoyens du Sud.

Il va sans dire que j'appuie l'idée d'un moratoire de dix ans sur la question du gazoduc du Mc Kenzie. Pendant cette période, le gouvernement pourra prendre le temps de faire des politiques de recyclage et d'analyser, sous tous ses aspects, le problème du gaspillage actuel. Je suis sûr que les générations futures jugeront favorablement ce geste.



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